

2015



The Woodlands Residential Development Standards



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1.1 DEVELOPMENT PHILOSOPHY

The Woodlands is a large, forested community being developed in accordance with a master plan to be largely self-sustaining community in which people can live, work, and play in harmony with the environment. Careful attention has been paid to ecology, with emphasis on preserving natural vegetation for future generations. The trees, shrubs, understory, natural drainage systems and wildflowers have been enhanced by additional landscaping and development of lakes, parks and open space.

Land uses have been carefully laid out with both business and family requirements in mind. Quiet cul-de-sacs, small neighborhood parks, and shared parking lots minimize paved area and preserve trees. Greenbelts have been retained around neighborhoods to shield them from noise and traffic. Preservation of existing vegetation provides many other amenities and advantages:

Shelter and food for wildlife—the preservation of the forest can provide a habitat for birds and other wildlife that would not normally be present in a conventional subdivision.

Water conservation—native plants are hardy and require less water than sodded lawns and newly planted landscaping.

Energy conservation—shade provided by mature landscaping can reduce summertime air conditioning costs by up to 50 percent.

Convenience—natural landscaping is easier to maintain; beds require only occasional weeding and mulching. Native plants are also less susceptible to diseases and require less fertilizer and expensive maintenance.

Privacy—shade provided by trees and shrubs acts as a privacy screen. Every time a tree is removed, a home site is cleared, or an improvement added, a part of the forest is gone and the future has been changed. Therefore, care must be taken to make that change as small as practical.

The preservation of natural vegetation restricts the ability of the developer, builder or lot owner to fill and grade each lot for maximum drainage. All improvements must be made with as little interruption of the natural drainage patterns as possible. The retention of some storm water in low areas of a lot decreases downstream flooding and erosion, provides the necessary water for trees and other vegetation, and recharges underground water resources. The placement of improvements, landscaping or drainage structures in a manner that prohibits the natural flow of drainage across the lot or increases the runoff onto a neighboring property upsets the ecological balance and may cause damage to neighboring properties and interfere with the legal rights of neighboring property owners.

The Woodlands Covenants and these Residential Development Standards have been designed to put into place procedures that will carry forward The Woodlands development philosophy while enhancing the quality of life. The Woodlands Covenants and Standards:

- Encourage environmental excellence.
- Preserve the design integrity and architectural quality of Woodlands dwellings.
- Prevent the deterioration of neighborhoods that inevitably follows an unregulated, laissez-faire philosophy of construction, maintenance and property use.
- Uphold property values.

1.2 IMPORTANT THINGS TO REMEMBER

A. The Appropriate Standard

Many different kinds of changes and additions to a property can be made. The ones described on the following pages are the most common, but not all are described. If a project is not included on the following pages, refer to the standard closest in concept to it and use that standard as a guide for preparing an application for plan approval.

B. Changes by Previous Owners

Purchasers of a previously occupied property sometimes are surprised and disturbed when they receive notice that the previous owner made an unapproved alteration or addition, and they are now in violation of the Covenants. Current owners are responsible for any existing violations, regardless of previous ownership.

C. Covenants Protect Neighbors

All property owners and tenants are subject to the Covenants and have agreed to comply with them. In turn, they rely on their neighbors' promises that they too will comply. Most problems can be resolved and unnecessary complications avoided by a thorough understanding of the Covenants and Standards. Compliance with the Covenants and Standards by all neighbors will permit Woodlands property owners and residents to enjoy living and raising their families in a pleasing environment and an attractive community with sustained property values.

D. Current Standards

These Standards are updated, revised or otherwise amended, from time to time. Always be certain that you have the current Standards. Visit www.thewoodlandstownship-tx.gov or call The Woodlands Township office at 281-210-3973.

1. Don't Copy Your Neighbors

When you consider altering or improving your property, do not rely on what your neighbors have done or said regarding their property. It may have been permitted under a prior Standard but not under the current Standard, disapproved and will require modifications or constructed without plan approval, which is in violation of the Covenants.

2. Governmental Regulations

The Covenants and Standards are not intended to permit any action prohibited by applicable laws, rules or regulations of any governmental authority. Where these Standards contain requirements in addition to or are more restrictive than required by governmental regulations, these Standards must be followed. Construction must comply with both governmental regulations and these Standards.

No improvement may be constructed or placed in a street right-of-way without approval by Montgomery County and/or Harris County. Approval by the Plan Review Committee (as defined herein) does not constitute approval by the county. Any improvement constructed within an easement or in county jurisdiction without the consent by that entity is subject to removal. The actions of the Plan Review Committee do not constitute action by any other entity.

3. Retroactive Effect: 'Grandfathering'

Except where stated otherwise, a change in the Standards does not affect improvements that had been approved under earlier versions of this Standard on the condition the improvement or construction was completed before the plan approval expired. In cases where more than 50 percent of the current dwelling will be altered, by any kind of repair or replacement of materials, a permit will be required.

Repair, replacement or repainting requires compliance with current Standard and may require a permit. In instances where a variance was granted for an existing improvement that is being proposed for replacement or repair, the Plan Review Committee or its designee, has the authority to grant a variance renewal based on the history of the property and the previously considered factors. If for any reason it is determined by staff that an application requiring a variance renewal, requires review by the Plan Review

Committee, it will not be eligible for staff variance approval, and will be posted for committee review at the next available Plan Review Committee meeting.

4. Other Property Owners Associations and City Ordinances

Improvements in certain areas may also be governed by additional restrictions imposed by other property owners associations. Plans for these projects should be reviewed and an action taken by that association prior to submittal to the Plan Review Committees. Improvements within city limits are governed by city ordinances, such as the ordinance of the City of Shenandoah or the City of Houston. Plans for these projects should be reviewed and an action taken by the Plan Review Committee prior to submittal to planning or zoning committee of the appropriate city.

5. Why Don't the Standards Regulate Barking Dogs or Vehicles Parked on the Street?

These Standards cover limited topics within the jurisdiction of the Covenants. Many other annoyances or unsafe activities are within the jurisdiction of the county or other governmental agencies. Consult the appropriate agency.

1.3 PLAN REVIEW AND COVENANT ENFORCEMENT

A. The Covenants

The Covenants, Restrictions, Easements, Charges and Liens of The Woodlands (the “Covenants”) are recorded in the real property records and are legally binding upon most of the land, landowners and residents in The Woodlands. For purposes of these Standards, Covenants refers only to those covenants that establish the Development Standards Committee, the Development Review Committee and the Commercial Standards Committee. Every improvement or change to land, buildings or structures must be approved and comply with the Covenants and applicable Standards adopted under the authority of the Covenants.

B. Plan Review Committees

The Covenants establish the following Committees to adopt and enforce these Standards and the Commercial Design Standards, to review plans for the construction of residential and commercial improvements and to carry out the other functions set forth in the Covenants. These committees are the:

- Residential Design Review Committee (RDRC)
- Community Standards Committee (CSC)
- Development Standards Committee (DSC)
- Development Review Committee (DRC)

In addition the Covenants establish an RDRC within the land subject to the jurisdiction of the DSC and the DRC. Each RDRC is composed of three or more people elected by the residents of the village, in which the RDRC operates. The RDRC reviews applications for modifications, improvements or additions to existing residential improvements.

The Covenants also create committees to adopt and enforce Standards governing property use and maintenance. The committees adopt, promulgate, revise or revoke any rule or regulation; make any finding, determination, ruling or order; issue any permit, authorization or approval pursuant to directives or authorizations; or act upon any other business. These committees review plans for the construction of new homes, commercial properties and residential improvements. References in these Standards to the “Plan Review Committee(s)” refer to any or all of these committees, depending on the context and the nature of the issue.

C. Residential Development Standards

Under authority of the Covenants, the DSC, DRC and the CSC adopted these Residential Development Standards (the “Standards”) that apply to all improvements on lots restricted to use for detached single family homes, condominiums or townhomes not located in town center, and to all property-owner improvements in street rights-of-way. These Standards replace and supersede all prior Residential Development Standards.

These Standards do not apply to use of a site or of an improvement for office, retail, light industrial, research, warehouse-distribution, institutional, golf clubs, golf courses, hospitality, apartment and townhomes and condominiums if located in town center. In addition these Standards do not apply to apartments even if located in a residential village. Instead the Commercial Design Standards adopted by the DRC and DSC and CSC apply to such uses. Please contact The Woodlands Township at 281-210-3800 if you have any questions.

D. Neighborhood Criteria

In addition to the Standards, Neighborhood Criteria establish more specific regulations for setback lines, hard-surface area, living area, colors, materials or other requirements for a home, group of homes or

neighborhood based upon characteristics unique to that lot, group of lots or neighborhood. Because the Neighborhood Criteria vary from one neighborhood to another, and frequently within a neighborhood, the Neighborhood Criteria are not published as part of the Standards, but are incorporated by reference in and made part of the Standards, and are available with reference to a specific lot from The Woodlands Township. All improvements must comply with the Neighborhood Criteria applicable to that lot. In case of a conflict between the requirements of the Neighborhood Criteria and the Standards, the Neighborhood Criteria will prevail.

E. Building Code

Where used in these Standards, Building Code refers to the most currently adopted edition of the International Residential Code published by the International Code Council and adopted by the Plan Review Committees. The Building Code is incorporated by reference in these Standards. A copy of the Building Code is available for review at The Woodlands Township.

F. Initial Land Use Designation

The Initial Land Use Designation (ILUD) limits permissible land uses and sets minimum and maximum building sizes and/or other constraints. It is prepared by the developer of the land at the time original development on that area begins, is recorded in the County Real Property Records as an additional restrictive covenant on the land, and is binding on all future owners. All improvements must comply with the minimum and maximum square feet of living area allowable for that lot as established by the Initial Land Use Designation and the Neighborhood Criteria.

G. Local, State and Federal Law

Municipal Utility Districts (MUD), city, county, state and federal laws and regulations may apply to an improvement or project.

H. Plat

Further limitations on the construction of improvements may be found on the plat. Like the ILUD, the plat is prepared by the developer of the land at the time of original development on that area and recorded in the county real property records. A plat is a map of land divisions within an area (the subdivision) showing individual lots, property lines, setback lines, street rights-of-way, certain easements and other matters.

I. Improvements

All property owners are responsible for all improvements made upon any property.

1.4 GLOSSARY

A. Corner Lot

A **corner lot** is bound by street rights-of-way on at least two sides and is usually restricted by setback lines on at least two sides. The front of a corner lot is the side with the greater building setback distance or the shorter dimension.

B. Easement

An **easement** is the right of a party (utility company, governmental authority, WCA, TWA, WCOA or The Woodlands Land Development Company (TWLDC) to use a portion of another's property for a limited purpose, as set out in a plat, the Covenants or an easement agreement recorded in County Real Property Records. The easements established by the Covenants (the "Covenant Easements") affect all lots within the area of those Covenants. They are set aside to provide utility service and drainage to the surrounding area and natural vegetative screening and privacy separations or buffer zones between lots. Covenant Easements are generally 10 feet wide along the front and rear of a lot and five feet wide along each side. Many lots in The Woodlands are also affected by Drainage Easements (D.E.), Storm Sewer Easements (S.S.E.), Sanitary Sewer Easements (S.E.), Utility Easements (U.E.), Access and Utility Easements (A.U.E.), and Pathway Easements (P.E.). Approval for improvements within an easement when granted by the Plan Review Committees applies only to the Covenant Easements as defined above.

C. Front Facade

The **front facade** is the most predominant front plane of the dwelling/attached garage, generally parallel to the street right-of-way and usually defined by the front corners of the dwelling/attached garage structure that extend nearest to the side lot lines. The front facade may be a different depth from the front property line on each side of the house, depending on the house design.

D. Front Yard

The **front yard** is the portion of a lot between the front property line and a line parallel with, and set back five feet from the front facade of the dwelling.

E. Rear Yard

The **rear yard** is the portion of a lot between the rear property line and the rear facade of the dwelling.

F. Side Yard

The **side yard** is the portion of a lot between the front yard and the rear yard.

G. Improvement

Improvement means the placement, construction, alteration or repair of any structure, including but not limited to, adding or removing square footage to or from a structure, painting or repainting a structure, or in any way altering the construction, size, shape or physical appearance of the interior or exterior of a structure. Improvements may be either permanent or one that is affixed to the ground, or temporary.

H. Single Family Dwelling

A **single family detached dwelling** is a structure designed for the residential use of a single family, but excluding apartments. Single family dwellings may be detached or attached (townhouses, duplexes or condominiums).

I. Single Family Lot

A ***single family lot*** is a parcel of land upon which one or more single family dwellings have been constructed or that is restricted to use for a single family dwelling.

J. Street Rights-of-Way

The ***street rights-of-way*** are the areas between platted lot lines on one side of the street and platted lot lines on the opposite side of the street, including the paved roadway, any median or cul-de-sac islands, the drainage ditch (if any) and a strip of land, usually from 10 to 15 feet wide, between the paved roadway and the platted lot line. Street rights-of-way are dedicated to the county or other public bodies for public access, drainage and utility purposes. Street rights-of-way are usually shown on the plat of a subdivision.

K. View

View shall refer to the view from ground level from adjacent properties and street.

1.5 PLAN APPROVAL / INSPECTION

I. PLAN APPROVAL

A. Approval Required

The Covenants require that the placement, construction, alteration or repair of any temporary or permanent structure or improvement on a lot with an existing single family dwelling must have the prior written approval of the Residential Design Review Committee or their designated staff. Covered projects include, but are not limited to, building additions, interior or exterior remodeling, exterior color changes, fences, play structures, certain decks, paving, patio structures, new garages, garage conversions, satellite antennas, lighting, swimming pools, spas, storage buildings, arbors, summer kitchens and compost bins.

- Approval is required to hard-wire any such system to the source of electricity.
- All roof replacement or house repainting requires a permit.
- In cases where more than 50 percent of the current dwelling will be altered by any kind of repair or replacement of materials, a permit will be required.
- Security Barrier fencing if:
 - More than eight linear feet of barrier fencing is or has been replaced, redesigned, reconstructed or relocated.
 - Any gates have been installed, replaced, redesigned, reconstructed or relocated.

B. Approval Not Required

Notwithstanding the preceding paragraph, no application or approval is required for:

- Interior floors, wall and window coverings, interior decorating and remodeling that does not require the installation or removal of walls or wall segments or other structural changes (studs, joists, headers, etc.) or electrical and plumbing work.
- The construction or installation of devices, appliances, apparatus or equipment operating at less than 50 volts and not capable of supplying or controlling more than 50 watts of electric power, including lighting, cable television, sound equipment, private or public telephone system, irrigation system, thermostat or burglar alarm system, security cameras or security alarms.
- Work performed on a public utility system by a public utility company, governmental entity or their agents.
- Repair of an existing improvement, if the original improvement/construction was approved by the Plan Review Committee. This does not include roofing and color changes, which require a permit at the time of replacement.
- Other improvements specifically exempt according to the applicable Standards. Exemption from the approval requirements of these Standards is not authorization of work done in violation of the Covenants, these Standards or applicable laws or regulations.

II. APPLICATIONS

Each application for plan approval must include the following items. Any missing or incomplete information may delay review of an application.

A. Application Form

A completed application must be submitted for each improvement project.

B. Construction Plans

Sealed Plans are required if the project includes:

- Construction of a home, garage or detached structure containing living area.
- An attachment containing living area to a home, garage or detached structure.
- An attachment containing a roofed area greater than 200 square feet or an attachment containing a floored area elevated more than 30 inches above natural grade.
- Second story decks whether attached or detached.
- Conversion of non-living area to living area (*ex. existing porches, garages and attic spaces*) that exceeds 200 square feet.
- Structural alterations of a home, garage or detached structure.
- Detached structures or buildings 400 square feet or greater.
- Retaining walls, cofferdams and bulkheads, or similar structures designed to hold back water, require engineering drawings if they are 3 feet 6 inches or more in height.

Sealed plans include complete construction drawings, including floor plans, roofing plan, and plans for electrical, plumbing, foundation, framing, exterior elevations, and exterior treatments and finishes. The drawings must be sealed by a licensed and registered structural engineer, licensed architect or a certified professional building designer with accreditation through The American Institute of Building Design (A.I.B.D.), The Texas Institute of Building Design (T.I.B.D.) or The National Council of Building Designer Certification (N.C.B.D.C.). The drawings must be to scale, of a quality and detail comparable to drawings customarily used to construct a residence and show how the improvement is integrated into the existing home, garage or other structures, if any, and must be certified to comply with the Building Code.

Other Projects: Projects not requiring sealed drawings should include, where applicable, a floor plan, roof plan and elevation drawings including floor plans and plans for electrical, plumbing, foundation, framing, exterior elevations, and exterior treatments and finishes. The drawings must be to scale and must show the integration of the proposed improvement with the existing structure, if any.

C. Compliance Deposit

Some projects require a refundable compliance deposit. Some or all of the deposit may be forfeited for, among other reasons, non-compliance with the Covenants, Standards, and conditions of approval or approved plans, failure to obtain the required inspections or failure to complete the improvement within the specified time. The amount of the deposit is based upon the complexity of the project. Further information can be obtained from The Woodlands Township.

D. Sample Materials

Color samples or chips are required for all painting applications. Product samples may be required for roofing, siding, or other materials.

E. Property Survey

A drawing to a standard engineers scale, prepared and certified by a surveyor, showing the location of all easements, platted building lines and existing and proposed improvements. A survey is not required for painting, re-roofing and similar projects that do not include new or expanded structures.

F. Hold Harmless

It is the duty of the owner and any contractor or consultant employed by the owner to determine that the proposed improvement is structurally, mechanically, and otherwise safe, and that it is designed and constructed in compliance with the conditions of the application, the Covenants, Standards, applicable governmental regulations and sound practices.

Neither The Woodlands Township, the Development Standards Committee, the Development Review Committee, Residential Design Review Committees, the Community Standards Committee, The Woodlands Commercial Owners Association, nor any officer, director, employee or member thereof, shall be liable for damages or otherwise because of the approval or non-approval of any improvement, or because of any act or omission in connection with the construction of improvements on any lot. Each applicant for plan approval must execute a release of all such liability in a form acceptable to the DSC/DRC/CSC.

G. Other Items

Other items may be required. Call The Woodlands Township office at 281-210-3973 for updated information or assistance.

III. PLAN REVIEW

A. Application Deadlines

Completed applications submitted to The Woodlands Township will be reviewed and acted upon by the Plan Review Committees within 45 days from the date upon which the application is received. Additional meeting deadlines may be required. For information on meeting dates, deadlines and posted items, please visit The Woodlands Township Web site at www.thewoodlandtownship-tx.gov or call 281-210-3973.

B. Approvals

The approval process is intended to minimize hardship or undue delays, while preventing additions and modifications to property that would be costly to correct if done improperly or in violation of the Covenants or these Standards. The goal of the review process is not to tell the owner that changes cannot be made to the property, but rather to assist in making the changes in a way that conforms to the character of the neighborhood and the natural beauty of The Woodlands environment and the integrity of the International Residential Building Code. Notice of approval, conditional approval or disapproval will be returned to the owner. Construction may proceed immediately following receipt of written approval.

1. **Committee Approval** - All proposed improvements require a completed application form. Applications that do not meet the criteria for staff approval require review and action by the Plan Review Committee. If for any reason it is determined by staff that an application is to be reviewed by a Plan Review Committee, it will not be eligible for staff approval.
2. **Staff Approval** - All proposed improvements require a completed application. Improvements made eligible for staff approval may be approved without committee action, upon receipt of a completed application and staff review and verification that the improvement complies with all requirements of these Standards. If for any reason it is determined by staff that an application is to be reviewed by a Plan Review Committee, it will not be eligible for staff approval, and will be posted for committee review at the next available Plan Review Committee meeting.
3. **Pre-Approval** - The Standards specify certain improvements that have been pre-approved by the Plan Review Committees and require no application, further review, permit, fee or other action by the owner.
4. **Automatic Disapproval** - Every effort is made to review and act upon applications as soon as possible after they are received. If a completed application accompanied by all supporting information has not been acted upon by an RDRC, within 45 days following receipt, it is automatically disapproved.

C. Appeals

The Covenants outline the instances under which a project can be disapproved. The applicant or an affected neighbor may appeal the decision of the RDRC to the DSC, DRC or its designee in writing within 10 days following notice of the RDRC decision. Appeal can be made by addressing a letter to the DSC, DRC or its designee stating the RDRC decision and the objection to that decision. All decisions of the DSC and DRC are final.

D. Concept Review

Upon request, the Plan Review Committees will provide a preliminary concept review for more complex projects prior to the preparation of full plans. This will assist the owner in determining the general parameters of the project and potential limitations of the Covenants and these Standards at an early point in project planning. The applicant must keep in mind that concept approval only approves a concept. The full plans must still be submitted, reviewed and given final approval.

E. Variances

Variances to these Standards may be granted by the DSC, DRC or its designee when it can be demonstrated that because of disability or other factors, strict compliance would create an undue hardship by depriving the owner of the reasonable utilization of the site, or where unusual circumstances or characteristics that affect the site make strict compliance impractical. No variance will be granted unless the general purpose and intent of the Covenants and Standards is maintained. Any variance granted will only be applicable to the specific site and conditions for which the variance was granted, and will not modify or change any Standards as they apply to other sites or conditions.

F. Rehearings

Request for a rehearing will be considered provided the owner/or an interested party submits new information to the committee that is substantial enough to cause the committee to rehear the item. Requests for a rehearing must be submitted no later than 15 business days from the committee's original action.

IV. INSPECTIONS

A. Purpose of Inspections

The Covenants give the Plan Review Committees the right to make inspections to determine that the work is carried out in accordance with the approved plans and these Standards. Such inspections are for the sole and exclusive benefit of the Plan Review Committees, and no other person or entity is entitled to rely on the inspections as any evidence of the safety of the improvements or their compliance with applicable laws, regulations or these Standards. When inspections are required the job card included with the approval packet must be posted on site prior to commencement of construction. Homeowner/Agent is responsible for providing an approved copy of their permitted application to the inspector.

B. Qualified Inspector

A **qualified inspector** is a third-party licensed architect, registered structural engineer or building inspector certified by the International Code Council or its successor agency. **Third-party** means a person other than the project owner who performed all or a portion of the work, an owner; employee, officer, or director of any entity that performed all or a portion of the work; or a member of their immediate families.

A qualified inspector must inspect the improvements and certify on forms provided by the Plan Review Committee that they have been constructed according to the Covenants, the approved plans and these Standards if the proposed plans include:

1. The construction of a dwelling, a garage, or a detached structure containing living area, the construction of any addition or attachments to the dwelling, garage, or detached structure containing living area.
2. The construction of a structure with a roof area exceeding 200 square feet (measured as the area within the exterior walls at roof plate elevation).
3. The construction of a swimming pool or a swimming pool security barrier (as defined in Standard 2.13).
4. Remodeling or alteration to any structure described above if the work includes structural changes or work on electrical, gas or plumbing facilities (power generators, fire pits, fire places and summer kitchens) including fuel supply systems.

5. Cofferdams, bulkheads or other similar structures designed to hold back water that are 3' 6" or more in height.
6. Conditions unique to a property requiring staff and/or Plan Review Committee interpretation.

C. Homeowner Certification

If inspection by a qualified inspector is not required, it is the owner's responsibility to ensure substantial completion of the project and certification that the project has been completed in accordance with the Covenants, Standards and the approved plans. Otherwise the owner must notify the Township and reach an agreement on the completion of the project or request for additional time.

D. Certificate of Compliance

Following receipt of certification from a qualified inspector or the owner, the Committees may, upon request of the owner, issue a certificate of compliance stating that the improvement complies with the Covenants, the approved plans and these Standards. The certificate is based solely upon the statements and inspections provided by the owner or the qualified inspector.

E. Notice of Non-Compliance

If the owner fails to submit the required certification, a notice of non-compliance may be recorded in the County Real Property Records, which may require compliance with the Covenants and Standards before the property can be sold.

F. Additional Remedies

Additional remedies and enforcement rights exist under the Covenants. The Woodlands Township or any owner whose property is subject to the Covenants may file suit to obtain an injunction mandating compliance with the Covenants and the Standards. The Woodlands Township has the right, after proper notice to the owner, to go onto the property where a violation exists, fix or remove the violation and collect any costs incurred from the owner or the owner's compliance deposit.

V. CASUALTY DAMAGE REPAIR

A. Casualty Damage

Casualty damage means damage or destruction (beyond normal wear and tear or deterioration) caused by fire, flood, and hurricane or other natural or man-made cause.

B. Minor Damage

Casualty damage that affects only furniture, equipment or wall, floor or window coverings may be repaired without application, approval or inspection. The Township must be notified at 281-210-3973 of all other casualty damage within three working days following occurrence.

C. Emergency Repairs

Emergency repairs required to temporarily prevent property loss or damage or bodily injury may be made without application, review or prior inspection.

D. Permanent Repairs

Permanent repairs are considered remodeling work and must comply with these Standards like other additions, alterations or remodeling.

E. Structural Damage

If casualty damage requires structural repair or replacement, a completed application with required compliance deposit, inspections, plans and other attachments must be submitted and approved under the applicable Standard in Part II, as if it were new construction.

F. Complete within 180 days

Casualty damage must be removed or restored as soon as feasible. Removal, repair or restoration must begin within 30 days and be completed within 180 days following the date of the casualty damage. Extensions of the time permitted for removal or restoration may be granted by the Plan Review Committees upon a determination that timely completion of the cleanup or restoration is delayed due to legal investigation, a delay in obtaining insurance proceeds, or other matters beyond the control of the owner.

G. Security Barriers

Security barrier fencing must be installed and maintained in compliance with the International Residential Code for all properties with swimming pools, hot tubs, spas or ponds.

H. Temporary Portable Restroom Facilities

Portable restroom facilities must be located in a rear or side yard when possible, and not cause an unreasonable or disproportionate impact on adjoining properties. During periods of reconstruction, repair or remodel a portable restroom facility may be stored on the lot, for a period not to exceed 120 days.

VI. DEMOLITION

A. Definition

Demolition means the complete or substantial removal of a major structure and/or swimming pool.

B. Fencing

Construction fencing must be installed around trees in the area of the demolition and access route if tractors or other machinery are to be used in the work. Perimeter fencing must be installed around the site if demolition will not be completed in 48 hours. Security barrier fencing must be installed and maintained in compliance with the International Residential Code for all properties with swimming pools, hot tubs, spas or ponds.

C. Completion

Demolition work must be completed within 10 days from commencement.

D. Safety

The use of explosives or other means or devices that may cause damage to adjoining properties is prohibited.

E. Dust / Noise

If the demolition causes dust to substantially impact a neighboring property, water must be used to restrict the dust. The work must be done during normal working hours.

F. Approval

No application, approval, fees or permit is required for demolition carried out in compliance with this Standard.

1.6 REQUIREMENTS FOR ALL IMPROVEMENTS

A. Access

If construction work requires access through adjacent property (an open space reserve, drainage easement or vacant lot), written permission from the property owner and a pre-construction photo of the proposed access route must be included with the plan approval application. The owner must complete an access agreement through The Woodlands Township.

B. Applicant's Lot

All improvements must be located entirely on the applicant's lot.

C. Architectural Compatibility

In addition to the other requirements of these Standards, all improvements must be architecturally compatible. Architectural compatibility is a continuity or agreeable relationship of architectural style, mass, proportion, scale, materials, color and design detail with existing and planned improvements on adjacent properties and in the neighborhood.

1. **Mass** - The visual relationship of architectural elements of various sizes to one another and to the immediate environment.
2. **Proportion** - the relationship of height to width, voids and solids, and the bulk of the structure relative to other nearby structures and parts of the whole.
3. **Scale** - the visual relationship of architectural and landscape elements to one another and to the immediate environment.
4. **Colors and Materials** - including siding, trim, doors, windows, gutters, downspouts, roofing, and all other architectural and site elements must be in context with their environment.

D. Setback Lines

Setback lines (sometimes referred to as building lines or building setback lines) are lines established by these Standards and the Neighborhood Criteria. There may be front, rear, and side setback lines, different setback lines for dwellings, garages or other structures, and different setback lines for the additional stories to the home. Certain improvements must comply with the setback lines for that lot. Please reference the appropriate Standard.

E. Platted Building Lines

Sometimes referred to as building lines are established by the subdivision plat or other recorded documents. The platted building lines restrict the construction or placement of improvements. There may be front, rear, and side building lines. Improvements must comply with the platted building lines for that lot. Please reference the appropriate Standard.

F. Building Code

All improvements must comply with the building code. Where the other provisions of these Standards conflict with the building code, the code prevails.

G. Colors and Materials

1. Colors

Colors that harmonize with the natural landscape are strongly encouraged. Muted shades are considered to be most appropriate. Muted shades of white are acceptable in many neighborhoods. Black and other less muted shades are permitted for trim paint. Gloss paint is not permitted.

2. Limited Colors and Materials

Care should be taken to avoid the use of an excessive number of materials and colors. Colors and materials must be compatible with each other so as to develop a cohesive appearance for the dwelling appropriate to its architectural character and to the neighborhood. Generally speaking, the fewer number of different colors and materials, the better the result.

3. Materials Must be Compatible

Construction materials must be compatible with the original architectural character of the existing dwelling and neighborhood. When enlarging, extending or remodeling an existing improvement, the materials must be compatible with those of the existing improvement. Materials must harmonize with the natural landscape.

4. Roofing

Roofing colors must harmonize with the natural landscape, community and Neighborhood Criteria. Roofing must be muted in shades and without color pattern. Acceptable roofing materials include tile, slate, composition shingles, stone coated or standing seam metal and cement-fiberboard products. All metal roofing must be free of any types of glossy finish. The Woodlands Township maintains a current chart of acceptable composition shingle roofing materials for reference and comparison.

5. Unacceptable Materials

Except as may be allowed by specific mention in a given Standard, unacceptable construction materials include, but are not limited to:

- Pneumatic vinyl structures
- Asbestos cement board
- Polyethylene plastic sheets
- Corrugated metal or plastic
- Siding materials with high-gloss finish
- Reflective or “mirrored” glass, including foil or other reflective materials
- Chain-link or hog-wire fencing
- Wire, wire-mesh, or wire-bound wood picket fencing
- Metal fence posts (except two-inch galvanized steel posts or posts in wrought iron fences)
- Asphalt paving

Materials not described in this Standard may be applied for and considered on a case-by-case basis.

H. Completion of Work

Construction of a new home must be completed within one year of plan approval. All new home construction that is not completed within one year following plan approval, require a new permit that must be reviewed and acted on by the plan review committee or its designees.

All other construction and/or improvements must be completed within 120 days following plan approval.

• Temporary Portable Restroom Facilities

Portable restroom facilities must be located in a rear or side yard when possible, and not cause an unreasonable or disproportionate impact on adjoining properties.

During periods of reconstruction, repair or remodel a portable restroom facility may be stored on the lot, for a period not to exceed 120 days.

I. Security Barriers and Fencing

Security barrier fencing must be installed and maintained in compliance with the International Residential Code for all properties with swimming pools, hot tubs, spas or ponds.

Construction fencing must be installed around trees in the area of construction and access route if tractors or other machinery are to be used in the work. Perimeter fencing must be installed around the site if

demolition will not be completed in 48 hours. Security barrier fencing must be installed and maintained in compliance with the International Residential Code for all properties with swimming pools, hot tubs, spas or ponds.

J. Drainage

Texas law in conjunction with the Texas Water Code requires that the owner ensure that the placement of any improvement or landscaping does not halt or materially impede drainage flowing off of a neighboring tract and does not redirect the flow or significantly increase the amount of water flowing onto a neighboring tract. Enforcement of this requirement is by the affected property owner(s). The drainage from each lot should be directed to the street where possible. In instances where the rear area of a lot is lower than the elevation of the street, a lot-to-lot drainage solution may be needed. In these situations, a lot cannot block drainage from an adjacent lot that naturally flows across that lot on a path to a drainage swale, stream, or outlet. Enforcement of this requirement is by the affected property owner(s).

K. Easements

Any improvement constructed within an easement without the consent of the easement holder is subject to removal by that easement holder. Plan Review Committee approval of plans for an improvement within an easement does not constitute approval by the additional easement holders. Improvements within an easement must not impede drainage. Most improvements must comply with the easement lines for that lot. Please reference the appropriate Standard, for additional information. When considering easement encroachments, the Covenant Administration Department and The Plan Review Committees will explore alternate locations and neighbor impact when considering encroachment into the easements. Improvements that may be built or placed in an easement include, but are not limited to the following:

- Fences and piping
- Boat Docks
- Hardscape (including landscape borders), not exceeding 24 inches in height
- Air conditioning equipment
- Emergency Power Generators
- Flag poles or light poles
- Low-voltage landscape lighting
- Putting greens may be located up to five feet into the rear easement.
- Small satellite dish antennae
- Above ground piping, pumps, equipment or filters may be located up to three feet into the rear easement, and up to two feet into the side yard easement.
- Driveways where they must cross front yard easements
- Detached buildings no more than six feet tall, without a foundation pad and that are screened from view
- Specified yard structures (e.g., garden benches, portable barbeque grills, trellises, seasonal displays, seasonal plant protection and artwork. *(See Standard 2.7 for more details.)*)
- Eaves that extend no more than 24 inches into the easement. Equipment pads that are located a minimum of one foot from an adjoining property line.
- Walkways may be permitted in the front, rear or side yard easements
- Trash and recycle cart enclosures

L. Water Surface Area

The maximum amount of water surface area permitted on any lot may not exceed six percent of the lot size.

M. Hard-Surface Area

Hard-surface area is covered by paving, foundation, flagstone, masonry pavers, certain roofed structures or other impermeable hard-surfaces, expressed as a percentage of the total lot area. The Neighborhood Criteria defines the maximum percentage of a lot that may be hard-surface area. All improvements must comply with the maximum hard-surface area limitation for that lot established by the Neighborhood Criteria. Materials not considered to be hard surface are crushed rock, crushed gravel, crushed granite and bull rock that are not set in concrete, mortar, or formed with stabilizers. ***This list is not all inclusive.***

N. Living Area

Living area is the floor space used for living purposes in the home, garage or a detached building, including storage areas in the home, sunrooms, game rooms and any other area used for living purposes. Living area does not include porches or attic space without air-conditioning, hobby work areas in a garage or detached building, or outdoor restroom facilities less than 80 square feet. All improvements must comply with the minimum and maximum square feet of living area allowable for that lot as established by the Initial Land Use Designation and the Neighborhood Criteria.

Living area is measured as follows: square footage is measured to the outside of exterior walls (i.e., outside of brick veneer, siding, stone or stucco). Stairs and two-story spaces are measured only once. Air-conditioning returns, pipe chases, fireplaces and non-structural voids are excluded. Space with a ceiling height of less than six feet (e.g., window seats, crawl spaces or storage below stairs) is omitted. However, useable space under the stairs, such as powder rooms, closets, pantries etc. will be considered as living area. This area is calculated from the 11th riser to the top riser.

O. Neighborhood Character

Improvements must be consistent with and not adversely impact the neighborhood's existing character.

P. Neighborhood Criteria

All improvements must comply with the Neighborhood Criteria applicable to that lot. In case of a conflict between the requirements of the Neighborhood Criteria and the other provisions of these Standards, the Neighborhood Criteria will prevail.

Q. Impact on Neighbors

All improvements must be located to minimize impact on neighboring properties. Visibility of an improvement does not constitute unreasonable impact.

R. Use

Improvements are approved for their stated use only.

2.0 HOME and GARAGE

A. Definitions

Any improvements or additions/structures attached to the dwelling or the garage, whether proposed or existing.

B. Location

The residence and all additions or attached structures, with solid roofs or attached enclosed structures, may not extend beyond any applicable setback line. A garage and all attached additions must comply with the dwelling setback line unless a separate setback line is established for the garage. On a side street, a garage or garage addition must respect the platted building line as well as any additional setback requirements established by these Standards.

C. Foundation Elevation

The top of the finished floor elevation, of a dwelling or an attachment to the dwelling, must be at least 14 inches above natural grade. No more than 18 inches (vertical dimension) of concrete foundation may be exposed to view. Patio slabs attached to the dwelling and converted to living area must be elevated to at least the height of the dwelling foundation. There may also be county or FEMA elevation requirements. Please contact the appropriate agency.

D. Setback Lines

The residence and all additions or attached structures, with solid roofs or attached enclosed structures, may not extend beyond any applicable setback line. A garage and all attached additions must comply with the dwelling setback line unless a separate setback line is established for the garage. On a side street, a garage or garage addition must be set back at least 16 feet from the side property line and respect all other location requirements established by these Standards.

E. Height

A home or garage may not exceed a two story plate height unless expressly permitted by the DSC or DRC.

I. Attached Buildings / Structures

A. Definitions

Building is a utility or storage building, greenhouse, playhouse or similar buildings, attached to the dwelling or garage.

Structure is a shop, studio, screened enclosure, fireplace with chimney, cabana, arbor, gazebo, patio cover, summer kitchen or similar structure, attached to the dwelling or garage.

Outdoor Living Area is an area that extends the living space of a dwelling into the outdoors. Outdoor living spaces incorporate the elements of indoor living and reflect the comforts of indoor living. Outdoor living areas may incorporate permanent structures such as sinks, refrigerators, grills and counter space, commonly defined as, "summer kitchen areas". Outdoor Living area may also be an area designed with patio furniture, bar and counter space, televisions, fire pits and fireplaces. Outdoor living areas can be covered or uncovered, incorporating covered solid roof structures, curtains, shades screens or other privacy accessories designed for outdoor use. Outdoor living is defined by the use of the area and the purpose of the design. This list is not all inclusive.

1. Height Restrictions:

- i. Overall height, size and location will be evaluated for its affect upon mass, scale, proportion and impact.
- ii. Greenhouses may not exceed 10 feet in height.
- iii. A home or garage may not exceed a two story plate height unless expressly permitted by the DSC or DRC.

2. Location

- i. All improvements must respect platted building lines and building setback lines.
- ii. Attached buildings must be located in the rear or side yard and in a location that does not result in an unreasonable or disproportionate impact on neighboring properties. The committees will consider alternate locations when reviewing attached buildings, to minimize impact on adjoining properties or neighboring tracts.
- iii. All improvements may require landscaping or a landscape plan.
- iv. Outdoor living areas covered by a solid raised roofed structure, typically including rafters must respect the platted building line and building setback lines.
- v. Outdoor living areas covered by open air pergolas, flat roofing covers or adjustable louvers must respect platted building lines.

3. Floor /Roof Area and Materials Restrictions:

- i. The maximum floor area permitted for any attached building is 200 square feet.
- ii. Polycarbonate covers placed on top of an arbor/pergola are considered an acceptable material. It will be considered part of the hard-surface area.
- iii. Greenhouse Materials include flat, rigid, plastic, glass panels that are transparent or neutral in color.
- iv. Aluminum or steel frames must be finished in muted shades.

B. Awnings

Awnings must have a simple, plain design and be consistent with the architectural style and scale of the residence. Awnings must be a muted solid shade. Metal awnings are not acceptable. Shade cloth screens can affect the appearance of a dwelling and should be chosen with care. All awnings require review and approval by the Plan Review Committee or its designee.

C. Carports

Aluminum or steel carports are not allowed. Carports must be architectural extensions of the dwelling or elements of the dwelling itself. Detached carports are not permitted on lots adjacent to a golf course or lake.

D. Garage Conversion

Unless otherwise stated in the Neighborhood Criteria, each dwelling must have sufficient area to park two vehicles in a garage or under a carport. Each car must have direct access to the driveway. Garages may not be converted to living area unless at least 135 square feet of enclosed storage space is maintained in the pre-existing garage area or added to the dwelling or garage.

E. Garage Doors

Garage doors must be wood, fiberglass or metal, painted to be architecturally compatible with the approved colors of the home and must not adversely impact the overall character of the neighborhood.

All changes in material or color to the garage door require an application. All garage doors must be painted to match or be compatible with the colors of the home or the garage. Garage doors must comply with the Neighborhood Criteria. Care should be taken to avoid the excessive use of colors and materials on the home.

F. Garages

When adding a third (or fourth) bay to a garage that is set back less than 40 feet from the street property line, the front plane of the additional garage area must be off-set from the plane of the existing garage to soften the impact of the garage expansion.

G. Gutters / Downspouts and Rainwater Harvesting Tanks.

Gutters, downspouts and rainwater harvesting tanks must be designed and installed so that water runoff does not adversely affect drainage on adjacent properties. Rain water harvesting tanks may not exceed six feet in height, should be painted to be compatible with the color of the home, screened by solid fencing or substantially screened with native vegetation to screen the view from the street and adjacent properties, as seen from ground level. No more than two rainwater harvesting tanks will be permitted on any lot.

These improvements must not halt or materially impede drainage flowing off of a neighboring tract, and must not redirect the flow or significantly increase the amount of water flowing onto a neighboring tract. Enforcement of this requirement is by the affected property owner(s).

H. Roof Vents

Roof vents and stacks must be located on the rear slopes of roofs whenever possible. All exposed roof accessories (including, but not limited to vents, flashing, attic ventilators, and metal chimney caps) must match or be compatible with the color of the roofing material.

I. Screens

Screens must be brown, black, bronze or charcoal gray in color.

J. Skylights and Solar Collectors

Collectors will be permitted on the street-side slope of a roof only if they are of a flat profile, conform to the slope of the roof, and are placed so that the top edge of the collector is parallel to the roof ridge. No part of the installation may be visible above the roof line. Skylights must be of a low profile, preferably flat or slightly curved. Skylight and collector frames, support brackets and any exposed piping must be painted to match or be compatible with the roofing material.

K. Windows

When replacing windows, careful consideration must be given to type and style and compatibility with the design of the home. Window coverings must be consistent with the character of the neighborhood. Tinted glass is acceptable. Reflective materials, such as, mirrored glass or foil is not acceptable. Security bars are not permitted.

APPROVALS:

Pre-Approval

Gutters, downspouts, rain water harvest tanks, garage doors, roof stacks and vents, storm windows and doors, window and door screens and window coverings that comply with these Standards, are pre-approved and require no application, permit or inspection.

Committee and Staff Approval

All projects within the scope of this Standard must be reviewed and approved in advance by the Plan Review Committee or its designee. If for any reason it is determined by staff that an application is to be reviewed by

a Plan Review Committee, it will not be eligible for staff approval, and will be posted for committee review at the next available Plan Review Committee meeting.

This list is not all inclusive.

If for any reason it is determined by staff that an application is to be reviewed by a Plan Review Committee, it will not be eligible for staff approval, and will be posted for committee review at the next available Plan Review Committee meeting.

2.1 DETACHED BUILDINGS and DETACHED STRUCTURES

The building code, Neighborhood Criteria and Part I of these Standards have additional requirements applicable to all improvements.

I. DETACHED BUILDINGS / STRUCTURES / OUTDOOR LIVING AREAS

Definitions:

Detached Building is a utility or storage building, greenhouse, playhouse or similar buildings, other than the dwelling, the garage or a building attached to the dwelling or garage.

Detached Structure is a shop, studio, screened enclosure, fireplace with or without chimney, cabana, arbor, gazebo, patio cover, summer kitchen or similar structure, other than the dwelling, the garage, a structure or building attached to the dwelling or garage.

Outdoor Living Area is an area that extends the living space of a dwelling into the outdoors. Outdoor living spaces incorporate the elements of indoor living and reflect the comforts of indoor living. Outdoor living areas may incorporate permanent structures such as, sinks, refrigerators, grills and counter space, commonly defined as, "summer kitchen areas". Outdoor Living area may also be an area designed with patio furniture, bar and counter space, televisions, fire pits and fireplaces. Outdoor living areas can be covered or uncovered, incorporating covered solid roof structures, curtains, shades screens or other privacy accessories designed for outdoor use. Outdoor living is defined by the use of the area and the purpose of the design. This list is not all inclusive.

A. Detached Buildings

1. Height Restrictions:

- i. Green houses may not exceed 10 feet in height.
- ii. All other detached buildings built with metal, plastic or materials that do not match or are not compatible with those used on the dwelling may not exceed seven feet in height as measured from natural grade.
- iii. All other detached buildings built with wood or materials like those used on the dwelling or compatible with the dwelling may not exceed nine feet in height, as measured from natural grade.

2. Location

- i. All detached buildings may not extend beyond any platted building lines All detached buildings must be located in the rear or side yard and in a location that does not result in an unreasonable or disproportionate impact on neighboring properties. The committees will consider alternate locations when reviewing detached building, to minimize impact on adjoining properties or neighboring tracts.
- ii. All detached buildings may require landscaping or a landscape plan, if the detached structure has neighbor impact.
- iii. All detached buildings on lots adjacent to a lake or golf course should be located in close proximity to the dwelling.

3. Floor /Roof Area and Materials Restrictions:

- i. The maximum floor area permitted for any detached building is 120 square feet.
- ii. Polycarbonate covers placed on top of an arbor are considered an acceptable material. Polycarbonate covers will not be considered as roofed area; it will be considered part of the hard-surface area.
- iii. Greenhouse Materials include flat, rigid, plastic panels that are clear or neutral in color. Aluminum or steel frames must be finished in muted shades.

4. Screening

- i. Detached buildings must be screened from view at ground level from adjacent public or private property by a six-foot high solid fence or other screening such as evergreen vegetation. Screening must be six feet in height at time of planting.

B. Detached Structures

1. Height restrictions:

- i. The plate height of all structures may not exceed 12 feet as measured from the finished floor elevation.
- ii. The mass, scale, proportion and impact of all structures must be evaluated for the considerations of overall height, size and location of a detached structure.

2. Location

- i. Detached structures may not extend beyond any platted building lines.
- ii. Detached structures with a solid raised roof, typically including rafters must respect the platted building line and building setback lines.
- iii. Detached structures may require landscaping or a landscape plan if the detached structure has neighbor impact.
- iv. The committees will consider alternate locations when reviewing detached structures to minimize impact on adjoining properties or neighboring tracts.

3. Floor /Roofed Area and Materials Restrictions:

- i. The size and materials of a detached structure is contingent upon architectural compatibility and impact on neighboring properties.

4. Screening

- i. Detached Structures may require a landscaping plan or additional landscaping to provide additional screening from adjacent public or private property.

C. Outdoor Living Areas

1. Height Restrictions:

The plate height of all structures must replicate within 12 inches the first floor plate height of the dwelling regardless of any grade changes between the back of the home and the rear property line. Overall height, size and location of a detached structure will be evaluated for impact of mass, scale, proportion and impact on adjacent structures.

2. Location

- i. Outdoor living areas covered by a solid, sloped roofed structure, typically including rafters must respect the platted building line and building setback lines.
- ii. Outdoor living areas covered by open air pergolas, flat roofing covers or adjustable louvers must respect platted building lines.
- iii. Careful consideration should be taken regarding the location of Outdoor Living Areas. Proximity to adjoining properties, mass, scale and proportion will be reviewed for impact on adjoining properties. The Staff and Plan Review Committee's may explore alternate locations when considering placement of outdoor living areas.

3. Floor /Roofed Area and Materials Restrictions:

- i. Outdoor Living Area should be architecturally compatible with its setting and must not result in unreasonable and disproportionate impact on neighboring properties.
- ii. Overall height, size and location will be evaluated for mass, scale, proportion and impact of all outdoor living areas.

4. Screening

- i. Outdoor Living Areas may require a landscaping plan or additional landscaping to provide screening from adjacent public or private property.

D. Portable Storage Buildings – similar to self-storage containers/units

Portable Storage Buildings must be removed within 30 days. Extensions of the time permitted for removal may be granted by the Plan Review Committees or its designee upon written request and determination of timely completion and removal. Failure to remove within the approved time period will result in removal.

E. Number

The number of detached buildings, detached structures and outdoor living areas allowed on a lot is dependent upon the lot size and impact on adjacent properties. No more than one shop, studio, screened enclosure, cabana or greenhouse will be permitted on any lot.

APPROVALS

Pre-Approval

Gutters, downspouts, rain water harvest tanks, garage doors, roof stacks and vents, storm windows and doors, window and door screens and window coverings that comply with these Standards, are pre-approved and require no application, permit or inspection. Detached buildings, as well as plastic yard storage sheds, playhouses or boxes (Rubbermaid or similar type), no more than six feet tall, without a foundation pad, located in the easements that comply with these Standards are pre-approved and require no application only if they are significantly screened from view at ground level from adjacent streets or property.

Committee and Staff Approval

All projects within the scope of this Standard must be reviewed and approved in advance by the Plan Review Committee or its designee. If for any reason it is determined by staff that an application is to be reviewed by a Plan Review Committee, it will not be eligible for staff approval, and will be posted for committee review at the next available Plan Review Committee meeting.

This list is not all inclusive.

If for any reason it is determined by staff that an application is to be reviewed by a Plan Review Committee, it will not be eligible for staff approval, and will be posted for committee review at the next available Plan Review Committee meeting.

2.2 AIR CONDITIONING UNITS, POWER GENERATORS & HOME FUELING STATIONS

The building code, Neighborhood Criteria and Part I of these Standards have further requirements applicable to all improvements.

A. Compressors

Compressors located at natural grade may be located into the side or rear covenant easement area.

Compressors located at natural grade must:

1. Be a muted earth tone color.
2. Be a standard residential size and design.
3. Be screened from view if three or more air conditioning compressors are located together on the lot.
4. Be Located in the rear or side yard
5. Not compromise the security barrier for an adjacent property.

B. Window Units

Window units must:

1. Be located on the side or rear of the dwelling, except on patio or zero-lot-line lots, where the unit may be located only in the rear of the dwelling or the side opposite the zero-lot-line of the lot.
2. Match or be compatible in color to the dwelling.
3. Be installed so that the top of the unit is less than six feet above natural grade and not visible from ground level on any adjacent street or property.
4. Not exceed one unit on any lot.

C. Condominium/Townhomes

Window-mounted units and through-the-wall units are not approvable for condominium or townhome dwellings.

D. Living Area

The addition of an air conditioning unit is not permitted if it increases the size of the living area beyond the maximum allowed for that lot by the Neighborhood Criteria.

E. Power Generators

Power generators are for temporary use only. Power generators may be used as needed during power outages or lack of power due to natural disasters.

1. Location

Permanent power generators must be:

- Located in an area that will have minimal impact on neighboring properties.
- Installed so that the top of the unit is less than six feet above natural grade.
- Screened so that they are not visible from ground level from any adjacent street or property.
- Power generators may encroach up to three feet into the ten foot rear and five foot side yard easements.
- Timing of self-testing cycles of power generators should be set to occur during daytime hours so as to not adversely impact neighboring properties.
- If required, additional remedies to reduce noise levels to acceptable levels will be determined as needed.
- The committees will explore alternate locations and neighbor impact when considering placement into the easements. Improvement must not impede drainage.

2. Building Code/Inspections

- Generators and air conditioning compressor units must comply with the most currently adopted building code.
- Each generator will need to be inspected by a qualified third-party inspector to verify that the installation meets code and manufacturer's installation specifications.
- The inspector will verify that a transfer switch is installed in the vicinity of the generator for the safety of line workers and the homeowners themselves.
- The property owner is required to place notification on the Main Circuit Box that an Emergency Power Generator has been installed. Notification must include location of generator on property.

F. Home Fueling Stations

Fueling Stations Must:

- Comply with the most currently adopted building code.
- Be inspected by a third-party qualified inspector to verify that the installation meets code and the manufacturer's installation specifications.
- Be located in an area that will have minimal impact on neighboring properties.
- Be screened so that they are not visible from ground level from any adjacent street or property.

APPROVALS

Pre-Approval

Replacement of an existing air conditioning unit or its component parts is pre-approved and requires no application, permit or inspection as long as the replacement is at the location of the pre-existing unit and the outside equipment is compatible in color with the dwelling.

Committee and Staff Approval

All projects within the scope of this Standard must be reviewed and approved in advance by the Plan Review Committee or its designee. If for any reason it is determined by staff that an application is to be reviewed by a Plan Review Committee, it will not be eligible for staff approval, and will be posted for committee review at the next available Plan Review Committee meeting.

2.3 COMPOSTING

The building code, Neighborhood Criteria and Part I of these Standards have further requirements applicable to all improvements.

A. Definition

Composting is the storage of organic yard waste and household vegetable matter at a composting site, bin or pile. Logs or branches more than two feet in length, meat, dairy products, cooking oil and grease are not permitted in compost bins or piles.

B. Location

Composting sites:

- Are not permitted on condominium or townhome lots.
- Must be located in the rear yard. Zero-lot-line properties may be located in the side yard.
- Must not be located beyond any platted building line.
- Must be screened and must not cause an unreasonable or disproportionate visual impact.

C. Materials

The following materials, which are otherwise unacceptable, are permitted for compost bins:

- Pre-fabricated plastic bins (dark brown, dark green or black).
- Chain-link, snow fencing or wire if the bin is substantially screened by fencing or vegetation so as not to be visible from any adjacent public or private property at ground level.

D. Number

Only one composting site and two composting bins are allowed on each lot.

E. Odor

Compost sites must be removed within 15 days if objectionable odors emanates beyond the property line.

F. Size

Compost bins or piles may not exceed four feet in height measured from natural grade. The maximum area of a composting site is 27 square feet (3' x 9'). If the composting site exceeds nine square feet it must be screened by fencing or vegetation so as to not be visible from any street or adjacent public or private property at ground level.

G. Trees

Trees six inches or more in diameter measured two feet above natural grade cannot be removed for installation of a compost bin or pile.

APPROVALS

Pre-Approval

Compost bins or piles that conform to these Standards are pre-approved and require no application, permit or inspection.

Committee or Staff Approval

All other projects within the scope of this Standard must be reviewed and approved in advance by the Plan Review Committee or its designee. If for any reason it is determined by staff that an application is to be reviewed by a Plan Review Committee, it will not be eligible for staff approval, and will be posted for committee review at the next available Plan Review Committee meeting.

2.4 DOG HOUSE and DOG RUN

The building code, Neighborhood Criteria and Part I of these Standards have further requirements applicable to all improvements.

A. Definition

Dog Run is a designated area on a property with or without paving where a dog can stay without a leash. Dog runs with artificial turf are permitted with proper drainage.

Dog House is a shelter on a property for a dog.

B. Chain-link Fences

Chain-link fences are permitted for dog runs only if they are completely screened from view at ground level from adjacent streets or property by a solid fence or other structure.

C. Location

Dog houses / dog runs **MUST**:

- Be located in the rear or side yard.
- Be located in an area that does not cause a disproportionate or adverse impact on neighboring properties or residents.
- Not be used for the purpose of a permanent living area.
- Be located at least three feet from all perimeter fencing adjacent to a residential lot.
- Be screened from view with vegetation on all lots with wrought iron fencing.

D. Number

No more than one dog run and two dog houses are permitted on any lot.

E. Odor/Noise

A dog run must be removed within 15 days at the owner's expense if objectionable odors or noise emanate beyond the property line.

F. Size/Height

The maximum size of a dog house is 8'L x 8'W x 4'H. A dog run fence may not exceed six feet in height.

APPROVALS

Pre-Approval

A dog house that conforms to these Standards is pre-approved and requires no application, permit or inspection.

Committee and Staff Approval

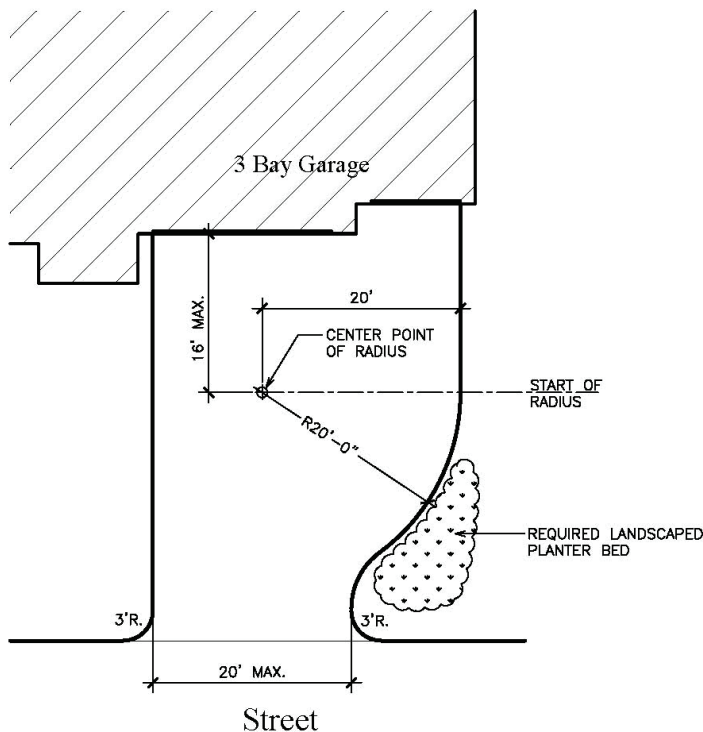
Dog runs must be reviewed and approved in advance by the Plan Review Committee or its designee. All other projects within the scope of this Standard must be reviewed and approved in advance by the Plan Review Committee or its designee.

2.5 DRIVEWAYS, WALKWAYS, DECKS, PAVING AND DOCKS

The building code, Neighborhood Criteria and Part I of these Standards have further requirements applicable to all improvements.

A. Driveways

- Driveway access to an adjacent street is prohibited if access is restricted on the plat.
- Circular driveways must have a lot width no less than 85 feet wide at the front lot line and must allow for a 16 foot minimum turning radius at the center line. Reference the plat to determine if street access is limited. Width must not exceed 12 feet except at the specified drop off point. Additional vegetation may be required for purposes of screening.
- Hook-In or L-Shape driveways require a minimum of 28 feet from the back of the garage door to the edge of the driveway pad to appropriately access a garage or street.
- The width of a driveway may be equal to the width of the garage doors plus two feet on each side or the width of the garage, whichever is less, for a distance of 16 feet as measured from the predominant front plane of the garage. After 16 feet the driveway must taper down to:
 - A maximum of 16 feet in width for 2 car garages and
 - A maximum of 20 feet in width for 3 car or more side by side garages (*see below*).



- For driveways less than 45 feet in length as measured from the most predominant front plane of the garage to the street pavement edge, a planter bed with a mix of native plants and shrubs, must be planted and maintained at the portion of the driveway where the taper occurs.
- **Driveway Borders**
Borders made of contrasting materials such as stained or patterned concrete, flagstone, brick or similar materials which are architecturally compatible will be permitted on both sides of the driveway as long as they are not used as permanent parking areas. These types of borders may not exceed 18 inches in width and may not extend beyond the width of the garage. Driveway borders may extend to the street pavement edge.

B. Walkways

- Walkways may not exceed four feet in width. Additional width may be allowed from areas where a walkway extends into a patio or front door entry way.
- Side-lot walkways must be located a minimum of one foot from the property line and may encroach into the easements.
- Walkways that encroach into an easement, a platted building line or a street right of way to allow for access to the dwelling and the street will be considered on a case by case basis and must be limited in scope.
- In neighborhoods where an alley exists, walkways for public use may not exceed six feet in width.

C. Decks, Paving and Patios

- Decks, paving and patios may not extend into any easement.
- Decks, paving and patios may not extend beyond any platted building lines, except for:
 - Front yard patios, made of masonry material set in crushed granite or other similar substance, constructed on grade and setback a minimum of 20 feet from the street pavement edge.
 - Additional screening may be required.
 - Storage of grills, plastic patio furniture or umbrellas is prohibited.

D. Elevated Decks

Decks 24 inches or more above ground level must be designed and located to minimize the impact on adjacent properties and are not permitted within any covenant easement areas. All second story decks require sealed drawings and inspections and must respect the building setback and platted building lines. See Standard 1.5.

E. Docks

Docks are permitted to encroach into the easements and setbacks.

F. Materials

Driveways must be concrete or other masonry materials. Patios, walkways and decks may also use stone or weather and insect resistant wood. Asphalt paving is not permitted. Please reference the acceptable hard-surface material under Standard 1.6, M.

G. Hard-Surface Area

Hard-surface area is covered by paving, foundation, flagstone, masonry pavers, roofed structures or other impermeable hard surfaces, expressed as a percentage of the total lot area. The Neighborhood Criteria defines the maximum percentage of a lot that may be hard-surface area. All improvements must comply with the maximum hard-surface area limitation for that lot established by the Neighborhood Criteria. Materials not considered to be hard surface are crushed rock, crushed gravel, crushed granite and bull rock that are not set in concrete, mortar or formed with stabilizers. ***This list is not all inclusive.***

H. Drainage

Texas law in conjunction with the Texas Water Code requires that the owner ensure that the placement of any improvement or landscaping does not halt or materially impede drainage flowing off of a neighboring tract and does not redirect the flow or significantly increase the amount of water flowing onto a neighboring tract. Enforcement of this requirement is by the affected property owner(s). The drainage from each lot should be directed to the street where possible. In instances where the rear area of a lot is lower than the elevation of the street, a lot-to-lot drainage solution may be needed. In these situations, a lot cannot block drainage from an adjacent lot that naturally flows across that lot on a path to a drainage swale, stream or outlet. Enforcement of this requirement is by the affected property owner(s).

APPROVALS

Committee and Staff Approval

All projects within the scope of this Standard must be reviewed and approved in advance by the Plan Review Committee or its designee. If for any reason it is determined by staff that an application is to be reviewed by a Plan Review Committee, it will not be eligible for staff approval, and will be posted for committee review at the next available Plan Review Committee meeting.

2.6 FENCES

The building code, Neighborhood Criteria and Part I of these Standards have further requirements applicable to all improvements. Fence installations and modifications often require code inspection due to an existing or surrounding pool, spa or pond.

A. Easements

- Fence construction within an easement is at the risk of the owner. The owner must comply with all utility company requirements, including the maintenance of proper clearances around transformer cabinets. Utility companies should be contacted to mark their lines prior to construction within a utility easement.
- Fencing within drainage, sanitary sewer, water line or pipeline easements must be approved by the easement owner in addition to Plan Review Committee approval.

B. Emergency Access

If vehicular access to a lot is restricted by a fence, gate or other barrier, a key box (*KNOX box*) or other approved means of access for emergency vehicles must be installed and maintained at all times in accordance with approved plans. The owner of each single family lot must at all times maintain and keep in good working order the key box or other system permitting emergency access through a front gate. Please contact the fire department to make the appropriate emergency access arrangements.

C. Face Orientation

Finished Side Out:

- All fences must be constructed with the finished side facing outward to the street or any tract of land.
- The unfinished side of a fence may be visible through a breezeway fence.
- Solid fencing located on a shared property line may be allowed with the unfinished side facing the adjoining residential properties provided that the homeowner submit written consent from the adjacent property owner(s); and no portion of the unfinished side is visible to the street or any tract of land.

Good Neighbor Fences: Fence types H and J may be constructed with alternating sections having the construction rails facing outward. Construction rails may not be visible at ground level from any street or other property.

D. Golf Course Nets

Netting adjacent to a golf course is permissible where a demonstrated need exists. The netting and supporting structure must be black in color and located entirely on the applicant's lot. Golf course nets require the prior approval of the Plan Review Committee.

E. Interior Fencing

On properties where solid perimeter fencing (six-feet or taller) exists, an interior fence that is no taller than four-foot is pre-approved and requires no application provided that:

- The interior fencing is not used for the purposes of confining an animal (*See Standard 2.4*).
- The interior fencing does not compromise a pool barrier.
- The interior fencing is not a pool barrier.
- The interior fence is not visible from a street or adjacent property as seen from ground level.

F. Pet Barriers

Properties with combination wrought iron and wood fencing can install a solid wood gate/fence from the house to the side fence to act as a screen or a pet barrier. The fence/gate should match the existing wood fence on property and must be located to the rear of the side property line wrought iron panels or ten feet back from the existing wrought iron fence whichever is greater. *Fencing must comply with Standard regarding Face Orientation, see Section C.*

Properties with wrought iron fence may use only black mesh or similar type material inside the wrought iron fence as a temporary pet barrier for up to six months. If it is to be used permanently, then the mesh must be screened by evergreen vegetation to the street. Height of the mesh must not exceed 3 feet in height.

Properties with wrought iron fencing that apply permanent wrought iron posts to serve as a pet barrier are allowed, provided they must be constructed so that the fence is in compliance with the International Building Code as a security barrier.

G. Height (*Please reference Neighborhood Criteria for further requirements*).

Height Restrictions for fences and other fence components are:

- The minimum perimeter fence height is four feet.
- The maximum perimeter fence height is:

Eight foot:

- On properties adjacent to a major thoroughfare. The eight foot fence is only parallel to the major thoroughfare street. On tracts where there is a pre-existing, approved eight foot fence, fencing can be given staff approval when applications are made simultaneously for three or more contiguous properties along the span of roadway with the fencing on each individual lot to be changed to the eight foot height at the same time.
- Where eight foot fencing will adjoin pre-existing fencing along the street thoroughfare, the new fencing must be “stepped down” to meet the lower height.
- On corner lots, the eight foot fence height must extend around the corner and must then be stepped down vertically to meet the lower height.

Seven foot:

- On properties adjacent to a collector street or major thoroughfare. The seven foot fence is only allowed along the property line that is parallel to the collector street or major thoroughfare.
- Where seven foot fencing will adjoin a lower fence height along the collector street or major thoroughfare, the seven-foot fencing must be vertically “stepped down” to meet the lower height. On a corner lot, the seven foot fence may extend around the corner the length of one span (no more than eight feet) and must be “stepped down” vertically to meet the lower height.

Six foot six inches:

- On all other properties with or without a rot board.
- One horizontal rot board six inches or less in height is permitted at the bottom of the fence.
- One horizontal rot board no more than 12 inches must be screened by vegetation to soften the view from an adjoining street right-of-way (SROW.)
- The total fence height may not exceed the approved height.
- Rot boards are permitted along breezeway fences and are not required to be screened from the street right of way.
- Wing walls may not exceed six feet in height at the property line.
- Privacy structures, courtyard enclosures, wing walls and breezeway fences must be integrated into the architectural design of the dwelling; may exceed six feet in height.
- Driveway access gates may exceed the overall fence height.
- Where allowed, decorative columns, posts and gates along the front of lots are:
 - Restricted to 12 inches above the approved fence height for properties where the front property line is less than 85 feet in width. Restricted to eight feet in height for properties where the front property line is greater than or equal to 85 feet in width. Decorative columns, posts and gates located in the rear or side yard are restricted to seven feet in height.

H. Location

- All portions of the fence must be constructed on the owner's lot. Fences may not be built in a public street right-of-way, open space reserve or greenbelt.
- Front yard transparent fencing must be set back 5 feet from the front property line with integrated vegetation.
- Rear and Side yard fencing must respect the platted building line if present
- On corner lots fencing may be permitted to extend five feet over the side platted building line provided that a planter bed with integrated trees and plants is placed immediately adjacent to the fence.
- No fencing is permitted along a lot boundary that is adjacent to a private street or a public access easement unless 10 feet from the pavement edge.
- Decorative columns may not be located within 10 feet from any corner of the lot.
- Courtyard enclosures and privacy structures must respect all easements and platted building lines.
- Wing walls may not be located in front of the dwelling, but may extend to the side lot boundaries except on a corner lot, where they may not extend beyond the platted building line along the side street.

Solid fences (e.g., less than 75 percent transparent) are not permitted:

- Unless located at least three feet back from the front facade of the dwelling.
- Along a rear lot boundary that is adjacent to a public street unless set back 10 feet from the property line or to the platted building line, whichever is greater.
- In the rear yard of lots with golf course or lake frontage.

I. Design

The Plan Review Committee will consider alternate designs to the pre-approved designs shown below. The designs must be in keeping with the character of the neighborhood and aesthetically pleasing. Refer to the attached exhibit for approvable fence styles.

J. Materials

Fences must be designed and constructed of materials that assure that they remain straight and plumb. Acceptable materials are:

- Wood, metal, stone or masonry.
- Galvanized steel posts, two inches in diameter, extending no higher than the top of the fence when used on the interior of a solid fence.

Unacceptable materials include, but are not limited to:

- Chain-link, wire or wire mesh, unless within the enclosure of a solid fence
- Sheet or expanded metal and stamped metal posts
- Plastic or fiberglass (corrugated, flat or woven)
- Rope, bamboo, reed or wire-bound wood pickets
- Unfinished cinder block

K. Neighborhood Fence Style

Neighborhood Criteria may require fences of a specified design to be constructed and maintained on the rear or side property lines of certain lots that adjoin a street right-of-way or open space reserve in the interest of overall architectural street continuity.

L. Paint or Stain

Wood fencing must be permitted to weather naturally. Any paint, stain or tinted color sealant requires approval and must be of muted shades. White fences will be considered only when architecturally appropriate. Each side of a wood or composite material fence must be one color.

M. Security Barriers

Fences and gates that comply with this Standard may not be acceptable as a security barrier. If there is an existing or proposed swimming pool, spa, pond or hot tub on the lot, a security barrier is required. See Standard 2.13. An application and inspection through a third-party qualified inspector are required if:

- More than eight linear feet of barrier fencing is or has been replaced, redesigned, reconstructed or relocated.
- Any gates have been installed, replaced, redesigned, reconstructed or relocated.

In addition to the requirements of the building code and this Standard, security barrier fences must comply with all provisions of Standard 2.13. Security barrier fences require inspections and may be eligible for staff approval.

N. Tree Preservation

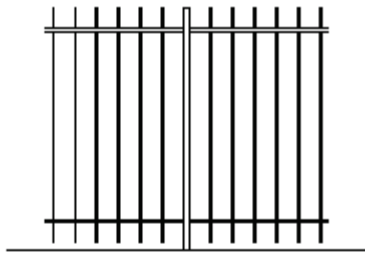
Every effort must be made to preserve existing trees by adjusting fence lines to weave among, jog around or abut to trees or stands of trees. No part of a fence may attach to a tree. No tree having a diameter greater than six inches measured two feet above natural grade may be removed for installation of fencing. See Standard 2.7 regarding tree removal.

APPROVALS**Pre-Approval**

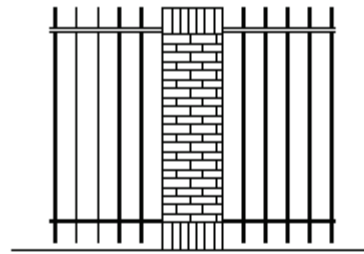
Interior fencing that complies with these Standards is pre-approved and requires no application.

Committee and Staff Approval

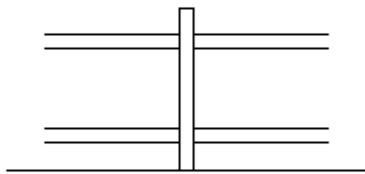
All projects within the scope of this Standard must be reviewed and approved in advance by the Plan Review Committee or its designee. If for any reason it is determined by staff that an application is to be reviewed by a Plan Review Committee, it will not be eligible for staff approval, and will be posted for committee review at the next available Plan Review Committee meeting.



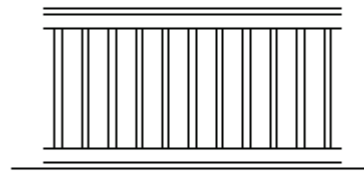
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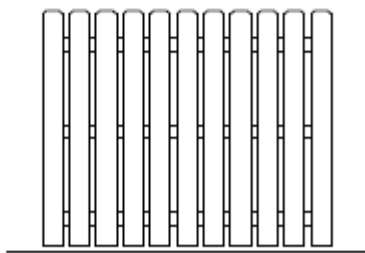
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or masonry column
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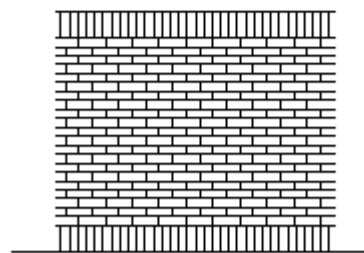
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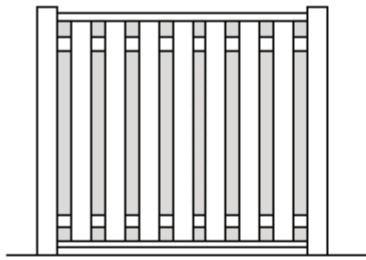
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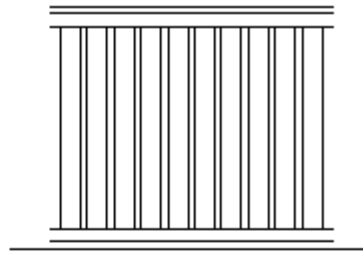
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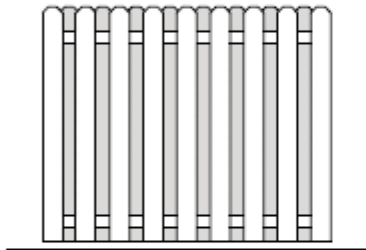
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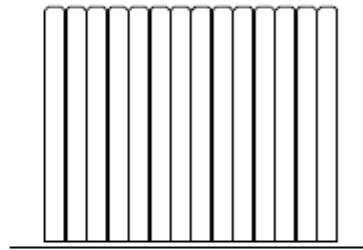
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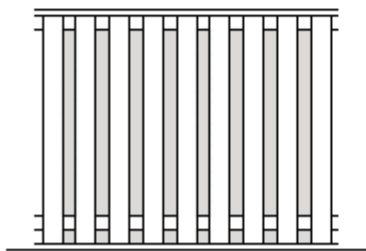
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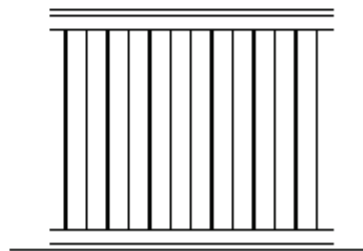
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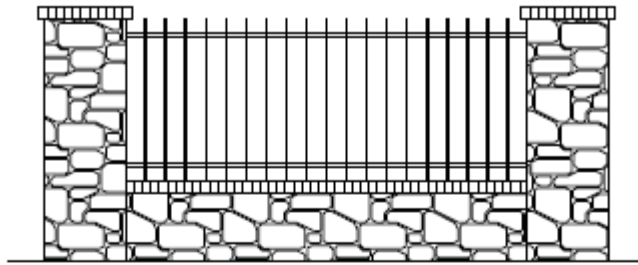
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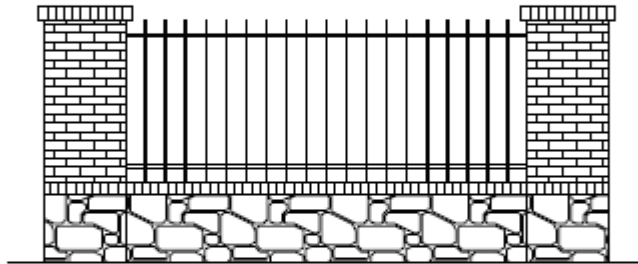
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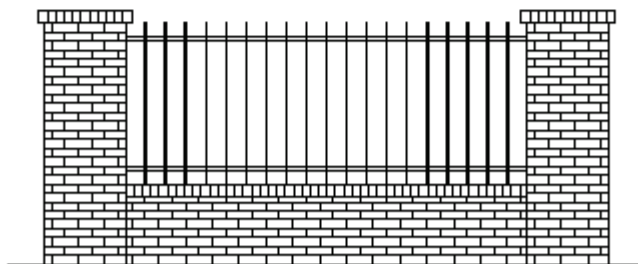
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wrought iron with stone
brick capping
type "M"



wrought iron with brick and stone
brick capping
type "N"



wrought iron with brick
brick capping
type "O"

2.7 LANDSCAPING, YARD STRUCTURES AND TREE REMOVAL

The building code, Neighborhood Criteria and Part I of these Standards have further requirements applicable to all improvements.

Residential lots in The Woodlands have been developed to preserve as much of the natural forest as possible. Native vegetation is the single most important landscape element in The Woodlands. It provides the unity and constant “sense of green” that is of immeasurable value to the visual pleasure and enjoyment of the outdoor experience. The preservation of native vegetation tree canopy, under story and forest floor is strongly encouraged. Native vegetation also requires less irrigation than typical ornamental plant materials or turf.

I. LANDSCAPING

A. Hardscape Material

Artificial turf, asphalt or other artificial ground covers are not allowed as landscaping material. Red mulch is allowed in limited amounts as a ground cover.

Crushed rock, gravel, flagstone and moss rock may be considered if used for pathways, drainage swales or landscaping borders, when used in limited amounts. Stone may be used in limited amounts as ground cover.

B. Landscape Borders

Landscape borders, with incorporated rock or stone used to create a defined edge for landscaping beds are acceptable. A border can be made of stone or wood; must be in keeping with the character and design of the home and used for the purposes of surrounding a planting bed.

- Landscape borders greater than 24 inches in height require application.
- Landscape borders greater than 24 inches in height that are located in the street right-of-way require review by a Plan Review Committee or its designee.
- Landscape borders must not compromise security barriers.

C. Drainage

Texas law in conjunction with the Texas Water Code requires that the owner ensure that the placement of any improvement or landscaping does not halt or materially impede drainage flowing off of a neighboring tract and does not redirect the flow or significantly increase the amount of water flowing onto a neighboring tract. Enforcement of this requirement is by the affected property owner(s). The drainage from each lot should be directed to the street where possible. In instances where the rear area of a lot is lower than the elevation of the street, a lot-to-lot drainage solution may be needed. In these situations, a lot cannot block drainage from an adjacent lot that naturally flows across that lot on a path to a drainage swale, stream or outlet. Enforcement of this requirement is by the affected property owner(s).

D. Front Yard Landscaping

Forty percent of the front yard (*excluding the portion covered by driveway and walkways*) must be trees, shrubbery, flowers, mulch or plants other than turf or grass. No trees, shrubbery, plants or vegetation may be removed that would result in the grassed area exceeding 60 percent of the front yard.

Vegetable gardens located in an area visible from an adjoining street right of way must be limited in mass, scale and proportion. Vegetable gardens will be permitted with integrated landscaping or screening as needed.

E. Irrigation Systems

Irrigation systems must:

1. Have a backflow prevention device where attached to the potable water system.
2. Be placed entirely within the lot and not encroach upon any open space reserve (*greenbelt*) or neighboring lot.
3. Location of any improvement within an easement or street right-of-way is at the owner's risk and subject to removal.
4. Municipal utility districts, city, state and federal laws and regulations may apply to the improvement or project. Please consult the appropriate agency.

F. Native Plants

The use of native plant materials with an understanding of the functional and aesthetic properties of each plant category is essential in the achievement of a sense of continuity and consistency in The Woodlands landscape concept. Whenever possible, new plantings should make use of ground covers in lieu of grass. Artificial plants, flowers, shrubs or ground covers are not permitted.

II. YARD STRUCTURES

Yard structures include, but are not limited to:

- Barbecue grills
- Decorative accessories (*windmills, wind vanes or wishing wells*)
- Fire Pits
- Fish ponds
- Fountains
- Seasonal displays
- Seasonal greenhouses
- Shade Sails
- Trellises

A. Trellises

- Trellises attached to solid fencing on the interior of the lot are preapproved, provided that the trellis does not exceed the height of the fence.
- Freestanding trellises with integrated vegetation that respect the easements may not exceed 9 feet in height.
- Freestanding trellises with integrated vegetation that do not respect the easements may not exceed 6 feet in height.

B. Barbecue Grills

Barbecue grills are not permitted in the front yard.

Barbeque grills located in the side yard must be screened from view from the front and side streets.

C. Fish Ponds and Fountains

Fish ponds and fountains with a water depth of more than 24 inches must comply with all requirements for security barriers. See Standard 2.13.

D. Seasonal Decorations and Lighting

Seasonal displays must be limited in scope and not become a nuisance or annoyance to the neighborhood.

- Decorations and lighting may be installed no earlier than the first Monday in October and must be removed by January 15 of the following year.

- Winter holiday decorations and lights may be illuminated no earlier than the second Monday in November through January 15 of the following year.
- All other seasonal decorations may be displayed for a period not to exceed three weeks.

E. Seasonal Plant Protection

Temporary structures to protect vegetation from extreme weather are permitted in the side or rear yard between November 1 and March 15. There are no restrictions on size location or materials for such structures, except that they may not be dangerous or located so that they result in an unreasonable or disproportionate visual impact on neighboring properties.

F. Compatible

Yard structures must be in good taste, limited in number, compatible with and appropriate in scale, color and mass to the architectural character of the dwelling and the neighborhood.

G. Setback Lines and Building Lines

Yard structures must be located a minimum of 20 feet back from the street pavement edge. If the improvement includes a foundation taller than 18 inches (*such as a sculpture base*), it must also respect all building setback lines and platted building lines.

III. RETAINING WALLS

A retaining wall is a structure that holds back soil or rock from a building, structure or area. Retaining walls prevent downslope movement or erosion and provide support for vertical or near-vertical grade changes. Cofferdams and bulkheads, structures that hold back water, are sometimes also considered retaining walls. Retaining walls that are 3 feet 6 inches or more in height require engineering drawings. Retaining walls are generally made of masonry, stone, brick, concrete, vinyl, steel or timber. Retaining walls greater than 18 inches in height must respect all easements and require an application.

Drainage

Texas law in conjunction with the Texas Water Code requires that the owner ensure that the placement of any improvement or landscaping does not halt or materially impede drainage flowing off of a neighboring tract and does not redirect the flow or significantly increase the amount of water flowing onto a neighboring tract. Enforcement of this requirement is by the affected property owner(s). The drainage from each lot should be directed to the street where possible. In instances where the rear area of a lot is lower than the elevation of the street, a lot-to-lot drainage solution may be needed. In these situations, a lot cannot block drainage from an adjacent lot that naturally flows across that lot on a path to a drainage swale, stream, or outlet. Enforcement of this requirement is by the affected property owner(s).

IV. TREE REMOVAL

No living tree greater than six inches in diameter as measured at a point two feet above natural grade may be removed without prior written approval. Trees to be removed must be flagged on site.

A. Conditions for Removal

Approval for tree removal will be considered if the tree:

- Is located up to five feet from a house or other existing permanent structure (*i.e., garage, swimming pool or pool decking*).
- Can be demonstrated to pose a safety hazard to persons or property through a written statement provided from a third-party certified arborist or other qualified individual with a degree in forestry.
- Is up to five feet from the area proposed for the construction of a house, garage or pool and pool decking.

- Is considered an invasive and hazardous tree or plant. ***Reference currently adopted list of invasive and hazardous trees or plants.***
- Has been determined as damaged, diseased or otherwise hazardous by a third-party certified arborist or other qualified individual with a degree in forestry.

B. Replacement

Any living tree removed from the lot may require replacement. Replacement trees must be a minimum of 15-gallon native trees that are watered, fed, staked and trimmed as necessary to promote healthy growth.

APPROVALS

Pre-Approval

- Trellis attached to solid fencing on the interior of the lot, provided they do not exceed the height of the fence.
- Trellises up to six feet in height, screened from view at ground level from adjacent streets or property by a solid fence.
- Trees that have been confirmed as invasive. Reference the currently adopted list of invasive and hazardous trees.
- Wood burning fire pits and barbeque grills that comply with these Standards.
- Landscape borders not located within a street right of way and that are no greater than 24 inches in height.

Committee and Staff Approval

All other projects within the scope of this Standard must be reviewed and approved in advance by the Plan Review Committee or its designee. If for any reason it is determined by staff that an application is to be reviewed by a Plan Review Committee, it will not be eligible for staff approval, and will be posted for committee review at the next available Plan Review Committee meeting.

2.8 LIGHTING

The building code, Neighborhood Criteria and Part I of these Standards have further requirements applicable to all improvements.

A. Illumination

No lighting fixture may create glare or a level of illumination that is offensive or inappropriate when viewed from adjacent properties. Lights mounted on buildings, poles or trees to provide general lot illumination must be mounted in fixtures that shield visibility of the lamp from the street or adjacent properties and direct the illumination upward or downward.

B. Lamp Type

- Incandescent, tungsten, halogen, fluorescent and LED lights are acceptable for all types of exterior lighting.
- Mercury vapor lamps are acceptable only in shielded fixtures mounted high in trees to provide low-level ambient property illumination (*moonlight*).
- High-pressure sodium and low-pressure sodium lamps are not acceptable.
- Gas lights are acceptable for exterior residential applications.
- Electronic insect traps (*"bug zapper" lights*) are permitted only if mounted below the height of six feet and within a yard area enclosed by a six-foot solid fence.
- A limited number of low-voltage lighting should be used for landscape lighting. Mass, scale and proportion must be considered when designing landscape lighting. If the Plan Review Committee or its designee, determine that the landscape lighting is an impact on the adjoining properties and not limited in the owner must submit an application and obtain approval for the landscape lighting on the property

C. Pole Lights

Lights mounted on freestanding poles may not exceed an overall height of eight feet above natural grade.

D. Location

Lights (*except those operating on 12 volts or less*) may not be located within five feet of a side property line or 10 feet of a rear property line. Lights must be set back a minimum of 20 feet from the pavement edge.

E. Materials/Colors

Decorative lighting fixtures must be an integral and compatible part of the architecture of the dwelling. Other light fixtures must be inconspicuous and unpretentious. Light fixtures and their supports must be of materials and colors that are in harmony with the natural, forested environment of The Woodlands. Muted earth tones in the brown, gray and green ranges are preferred. White fixtures and supports are acceptable only if they are compatible with the architectural style of the dwelling.

F. Seasonal Decorations and Lighting

Seasonal displays must be limited in scope so as to not become a nuisance or annoyance to the neighborhood.

- Decorations and lighting may be installed no earlier than the first Monday in October and must be removed by January 15 of the following year.
- Winter holiday decorations and lights may be illuminated no earlier than the second Monday in November through January 15 of the following year.
- All other seasonal decorations may be displayed for a period not to exceed three weeks.

G. Swimming Pool Equipment Lights

Swimming pool equipment lighting mounted immediately above the swimming pool equipment must be located below the fence line. Lights must be shielded to direct illumination downward. The maximum light wattage may not exceed 100 watts.

H. Sport Court Lighting

Sport court lighting poles and lighting fixtures may not exceed 14 feet in height as measured from natural grade. Sport court lights are limited to a maximum of three freestanding pole lights. Lights may not exceed 1,000 watts. Sport court lighting must be shielded. Light fixtures and freestanding poles must be muted shades. Additional vegetation may be required for screening purposes. Tennis court lighting fixtures may not exceed 20 feet in height as measured from natural grade. Tennis court lights are limited to a maximum of four freestanding pole lights. Lights may not exceed 1,000 watts. Tennis court lighting must be shielded. Tennis court lighting should be designed to provide court lighting and minimize any glare or illumination beyond the tennis court itself. Light fixtures and freestanding poles must be muted shades. Additional vegetation may be required for screening purposes.

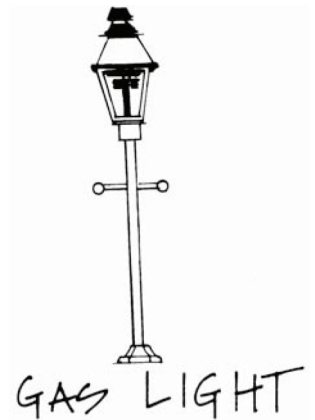
APPROVALS

Pre-Approval

Swimming pool equipment lighting is pre-approved and requires no application, permit or inspection if it complies with these Standards. Front yard lights similar to the design shown, low-voltage lights located in the rear or side yard are pre-approved and require no application, permit or inspection if they comply with these Standards.

Committee and Staff Approval

All projects within the scope of this Standard must be reviewed and approved in advance by the Plan Review Committee or its designee. If for any reason it is determined by staff that an application is to be reviewed by a Plan Review Committee, it will not be eligible for staff approval, and will be posted for committee review at the next available Plan Review Committee meeting.



2.9 BASKETBALL GOALS, PLAY STRUCTURES, TRAMPOLINES and PUTTING GREENS

The building code, Neighborhood Criteria and Part I of these Standards have further requirements applicable to all improvements.

Trees greater than six inches in diameter measured two feet above natural grade may not be removed for the installation of a basketball goal, play structure, trampoline or putting green. The number of basketball goals, play structures, trampolines and putting greens allowed on any lot is dependent upon the lot size and impact on adjacent properties. No more than one of each type of play structure will be permitted on any lot.

I. BASKETBALL GOALS

A. One Per Lot

Only one basketball goal is permitted on any lot.

B. Mounting

Basketball goals in the front or side yard must be mounted on freestanding poles, or on the garage, carport, or side of the house adjacent to the driveway.

C. Color

Basketball goals in the front or side yard must be white, gray, black, clear or any inconspicuous color. Posts may not be white, but must be an inconspicuous color in character with the neighborhood.

D. Location

Freestanding basketball goals, including portable goals, must be located at least 20 feet from the street pavement edge or no less than half way up the drive or adjacent to the dwelling or garage. All basketball goals may not be placed on any easements.

E. Impact

Basketball goals must be located to minimize the visual and functional impact to the adjoining properties. The Plan Review Committee or it's designee may consider alternate locations to limit impact to adjacent properties. Additional screening and or fencing may be required.

II. PLAY STRUCTURES

A. Defined

Play structures include play forts, play houses, swing sets, climbing apparatus, fixed skateboard ramps and other non-portable play structures or equipment, whether permanent or temporary.

B. Location

1. All play structures must respect platted building lines and must be located within the rear or side yard.
2. Play structures may not be located within the rear or side yard covenant easements except that the support legs, slide, climbing wall or related attachments of a play structure without an elevated deck area may be located up to three feet into the rear covenant easement of a property. If the committee or staff determines the location in the easement to be the most appropriate location and positioning.
3. Play structures located on lots adjacent to golf courses or lakes must not obstruct views of the golf course or lake from adjoining lots.
4. Play structures must be located or screened so they do not cause an unreasonable or disproportionate impact on neighboring properties.

C. Materials

Play equipment should utilize natural materials and muted earth tone colors wherever possible. Wooden play structures must be left natural, stained or painted to match the existing dwelling. Canvas awnings or roofs must be muted shades and without patterns. No striped or camouflage canvases are allowed. Composition shingle roofing must be compatible with the dwelling roof.

Trampoline accessories include, but are not limited to, poles, padded covers and netting; must be muted shades. No banners are allowed on trampolines.

D. Size

Play structures may not:

- Be more than 13 feet in height above natural grade.
- Contain more than 120 square feet of non-elevated floored area (*such as a play house*).
- Contain more than a 72 square feet of elevated floored areas.
- Exceed seven feet in height for any elevated floored area as measured from natural grade.

III. TRAMPOLINES

A. Size

Trampolines may not exceed 15 feet in diameter and may not exceed 10 feet in height as measured from natural grade.

B. Color and Accessories

Trampoline accessories include, but are not limited to, poles, padded covers and netting; must be muted shades. No banners are allowed on trampolines.

C. Location

Trampolines must respect platted building lines and be located in the rear or side yard.

Trampolines may encroach into an easement that is adjacent to a restricted open space reserve. Additional vegetation may be required to soften and screen the view.

IV. PUTTING GREENS

- Putting greens must be located in the rear and side yard, may encroach no more than five feet into the rear easement and must not result in an unreasonable or disproportionate impact on neighboring properties. Additional screening and or fencing may be required.
- The area permitted for putting greens on any lot will be dependent upon the lot size and impact on adjacent properties.
- Putting greens with artificial turf are permitted with proper drainage.

V. PORTABLE EQUIPMENT

Portable toys or play equipment (*e.g., bicycles, wading pools, yard game equipment, sandboxes, hockey and soccer goals and portable skateboard ramps*) must be stored so they cannot be seen from the street and adjacent property at ground level when not in use.

APPROVALS

Pre-Approval

- Trampolines that are not located in any easements and comply with these Standards are pre-approved and require no application, permit or approval.
- Play structures eight feet or less in height that are not located in any easements and comply with these Standards are pre-approved and require no application, permit or approval.
- Basketball goals and posts 12 feet or less in height that are not located in any easements and comply with these Standards are pre-approved and require no application, permit or approval.

Committee and Staff Approval

All projects within the scope of this Standard must be reviewed and approved in advance by the Plan Review Committee or its designee. If for any reason it is determined by staff that an application is to be reviewed by a Plan Review Committee, it will not be eligible for staff approval, and will be posted for committee review at the next available Plan Review Committee meeting.

2.10 POLITICAL ELECTION SIGNS AND NONGOVERNMENTAL ELECTION SIGNS

This Standard is applicable to all single family lots and street rights-of-way, including medians and cul-de-sac island areas within The Woodlands. Primary authority over street rights-of-way rests with Montgomery or Harris County. Signs placed within the street rights-of-way in The Woodlands Township must comply with applicable state and county laws and regulations as well as these Standards. Where any applicable mandatory state law governing elections applies, said law takes precedence over any conflicting standard contained herein.

A. Definitions

1. **Political election** is an election administered by the Montgomery County Elections Administrator, Harris County Election Administrator or by The Woodlands Township.
2. The Woodlands Township **nongovernmental elections** are elections administered by or on behalf of The Woodlands Township, including but not limited to, Residential Design Review Committee and Village Association elections.
3. **Political election sign** is a placard, banner, flag or device that promotes a political candidate or a ballot item for a political election. A two-sided sign is considered one sign.
4. **Nongovernmental election sign** is any sign that promotes a candidate or a ballot item for an election administered by or on behalf of The Woodlands Township. A two-sided sign is considered one sign.
5. For purposes of this section, the word **sign**, when used alone, shall include both political election signs and The Woodlands Township signs.

B. Location, Duration and Number

1. No person may place a sign on any right-of-way of a road unless authorized by The Woodlands Township or its designee. This section does not apply to the right-of-way of a road or highway in the state highway system.
2. One political election sign promoting a candidate for each office or issue on the political election or nongovernmental election ballot may be placed by an owner of a lot on his or her lot beginning the 90th day preceding the day of the political election or nongovernmental election and must be removed within 10 days following the day of the political election or nongovernmental election.
3. Two Residential Design Review Committee and Village Association nongovernmental election signs promoting each candidate or issue on the nongovernmental election ballot may be placed a minimum of 25 feet from the building entrance at each early-voting polling place during the 24-hour period preceding the day early voting in a nongovernmental election begins and must be removed within 24 hours following the day early voting ends.
4. Nongovernmental election signs may be placed at each polling place 24 hours before the day of the election and must be removed within 24 hours following the day of the election.

C. Sign Criteria

Political election signs must:

- Not contain any offensive language or graphics, or display anything that may be deemed offensive.
- Not be portable.
- Not be lighted, accompanied by music, sound, balloons or streamers, or be portable and be distracting to motorists.
- Be ground-mounted and not attached in any way to plant material, traffic control devices, light standards, trailers, vehicles or other existing structures or objects.
- Be no larger than four feet high by six feet wide.
- Not exceed five feet in total installed height (*including post, if any*).

Nongovernmental election signs must:

- Be in good repair and aesthetically pleasing in keeping with the character of the community.
- Not be lighted, accompanied by music, sound, balloons or streamers, or be distracting to motorists.
- Not exceed six square feet in area.
- Not exceed five feet in total installed height (*including post, if any*).

D. Lot Owner Approval

Political election signs may not be placed on a lot without the prior written consent of the owner of the lot.

Nongovernmental election signs may not be placed on a lot without the prior written consent of the owner of the lot.

E. No Message Approval

Approval of a sign does not imply approval of the message.

F. Removal

The Plan Review Committee, The Woodlands Township or its designee has the right to remove any sign in violation of this Standard.

APPROVALS

Pre-Approval

Political election signs and nongovernmental election signs are pre-approved and require no application as long as they comply with this Standard.

Committee and Staff Approval

All other signs require an application and must be reviewed and approved in advance by the Plan Review Committees or its designee.

The Woodlands Township reserves the right to approve signs and banners in locations other than the designated major intersections attached for permitted locations for certain signs. Only one two-sided sign will be allowed at any one of the major intersections listed.

If for any reason it is determined by staff that an application is to be reviewed by a Plan Review Committee, it will not be eligible for staff approval, and will be posted for committee review at the next available Plan Review Committee meeting.

2.11 SATELLITE DISH ANTENNAE and HIGH DEFINITION (HD) ANTENNAE

The building code, Neighborhood Criteria and Part I of these Standards have further requirements applicable to all improvements.

I. LARGE SATELLITE DISH

A. One Per Lot

Only one large satellite dish (*antenna diameter greater than 39 inches*) may be installed on any lot or tract.

B. Location

Large satellite dish antennae must be located within the rear yard, respect platted setback lines, not be installed in an easement and be located or screened so it does not cause an unreasonable or disproportionate visual impact on neighboring properties.

C. Height

The overall height of the finished installation (*to the highest point of the antenna*) may not exceed eight feet.

D. Screened

Large satellite dish antennae must be screened by a six-foot tall solid property line fence.

E. Trees

Trees greater than six inches in diameter measured two feet above natural grade may not be removed. Vegetation may not be extensively pruned for the installation of a large satellite dish antenna or to improve its signal reception.

II. SMALL SATELLITE DISH AND HIGH DEFINITION ANTENNAE

A. Location

Small satellite dishes and high definition television antennae (*antenna diameter 39 inches or less*) must be located in the rear yard, or no less than half the distance back from the front facade on the side of the home or garage, home or garage roof, if satisfactory reception can be achieved. Satellite dishes may not be attached to a fence if the fence is located on the property line. Location in an easement is acceptable, subject to the rights of the easement owner. Satellite dishes and HD television antennae, which are 39 inches or less in diameter, may also be located in the side yard or the side surface of the home or garage or roof of the home or garage.

B. Screened

Ground mounted dishes and antennae installed in the front yard or in the side yard adjacent to a side street must be screened from view from adjacent properties and street rights-of-way. In all cases, small satellite dishes and antennae must be located to minimize visibility from surrounding properties and street rights-of-way.

C. Trees

Trees greater than six inches in diameter measured two feet above natural grade may not be removed. Vegetation may not be extensively pruned for the installation of a small satellite dish antenna unless required to obtain adequate reception.

III. COLOR

All satellite dish antennae, including the supporting structure and related equipment, must be muted shades.

APPROVALS

Pre-Approval

Satellite dish antennae 39 inches or less in diameter and HD antennae are pre-approved and require no application, permit or inspection if they comply with the requirements for small satellite dishes and HD antenna as contained in this Standard.

Committee and Staff Approval

All projects within the scope of this Standard must be reviewed and approved in advance by the Plan Review Committee or its designee. If for any reason it is determined by staff that an application is to be reviewed by a Plan Review Committee, it will not be eligible for staff approval, and will be posted for committee review at the next available Plan Review Committee meeting.

2.12 SIGNS AND FLAGS

I. GENERAL CRITERIA

A. Definitions

A **sign** means any outdoor sign, display, light, device, figure, painting, drawing, message, plaque, poster, placard, banner, flag or promotional device, or other thing designed, intended or used to advertise or inform. A two-sided sign is considered as one sign.

B. Appropriate

All signs must be appropriately located, in keeping with the character of the community and in good repair. No sign shall be allowed which contains unprotected speech, including but not limited to those which:

1. Advocate illegal conduct;
2. Are obscene or offensive;
3. Inflict injury or are likely to provoke an act of violence or inflict injury (*fighting words*);
4. Are considered hate speech, defamatory, or an invasion of privacy; or
5. Contain misleading or deceptive commercial speech.

C. Location and Number

1. Signs must:
 - Be located on the sign owner's property.
 - Be located in the area which is the closest to the dwelling of the following two areas: (i) within twenty (20) feet of the dwelling; or (ii) within first one half (1/2) of the distance between the dwelling to the pavement edge when measured starting from the dwelling,
 - Be restricted to no more than one (1) sign, (whether or not permitted by Standard 2.12(I) or 2.12(II)) will be permitted on any residential lot at any given time, except as may otherwise be required by Section II.
 - Not be placed in any easement.
 - Not be mounted or affixed to trees or other vegetation.
 - Not be erected, posted, affixed or displayed upon any pavement, median, esplanade, traffic island, curb, sidewalk, bridge, underpass, overpass, electric pole, traffic sign or standard pole.
2. Signs in a street right-of-way are governed by the political sign Standard or the street rights of way Standard.
3. No more than six (6) approved signs will be permitted for any one/single event. No more than one (1) sign will be permitted at any major intersection.
4. Kiosk sign plazas and sign panels may be installed and maintained within the Street Right of Way of a public street within The Woodlands Township pursuant to a contract or franchise agreement with such. The location and placement of all kiosk sign plazas and sign panels shall be subject to the approval by The Woodlands Township. No kiosk sign plaza or sign panel shall be installed within the road right of way of a state highway without written authorization from the Texas Department of Transportation.
5. No sign shall be erected or maintained at any location whereby reason of its position, size, shape or color, it may obstruct, impair, obscure, interfere with the view of, or be confused with, any traffic control-sign, signal or device, or where it may interfere with, mislead or confuse traffic.

D. No Message Approval

Approval of a sign does not imply approval of the message.

E. Lighting

Signs, other than address signs and flags, may not be lighted.

F. Music or Sound

Signs may not be accompanied by music, sound, balloons or be distracting to motorists.

G. Maximum Height

Signs other than flags cannot exceed an installed height of five (5) feet above ground.

H. No Tree Removal

Trees or other vegetation may not be removed for sign installation or visibility.

I. Maximum Gross Surface Area

Signs may not exceed a maximum gross surface area of six (6) square feet.

J. Duration

Approval of a sign shall last for a period of only one hundred and twenty (120) consecutive days, and no sign may be placed or maintained on any residential lot for a period exceeding one hundred and twenty (120) days. Upon expiration of the one hundred and twenty (120) day period the sign must either be removed or a new application submitted.

K. Aesthetics

All signs must be generally compatible with the residential character of the community and the colors and materials used must be harmonious and in keeping with the neighborhood of the residential lot on which the sign is to be located.

L. Approvals

All signs whether in accordance with this Standard 2.12(I) or otherwise, require an application and must be reviewed and approved in advance by the Plan Review Committees or its designee.

M. Legal Requirements

This Standard is intended to comply with all federal, state, and local laws, rules, and regulations, governing residential sign standards which are applicable to these Standards as adopted by the Development Standards Committee pursuant to The Woodlands Covenants ("*laws*"). To the extent that any portion of this Standard violates any of these laws, said portion shall automatically be amended to comply with the same and shall not affect the validity or enforceability of the remainder of this Standard. All signs permitted by said laws are permitted by this Standard, whether or not specifically stated or addressed herein.

II. SPECIFIC SIGN TYPES PERMITTED ON SINGLE FAMILY LOTS

A. Address signs

No person may place a sign on any right-of-way of a road unless authorized by The Woodlands Township. Street address numerals must be displayed at each dwelling in a manner that is clearly visible from the addressed street. The colors and materials used in an address sign must be compatible with those used in the construction of the dwelling. The sign face may not exceed six square feet in area. The Woodlands Watch uniform house numbering kits are encouraged and conform to this Standard.

B. Builder Signs

A homebuilder may erect an identification sign on any lot where that homebuilder is constructing a home, provided the sign face does not exceed six (6) square feet in area. The sign must be removed within forty-eight (48) hours following the closing of the homebuilder's sale of that property or the completion of construction, whichever will occur later. One model home sign for each model home will be permitted for newly constructed homes. The sign face may not exceed six (6) square feet in area.

C. Contractor Signs

A contractor performing construction or remodeling work may erect one identification sign on the lot where work is being performed. Contractor signs may be displayed only during the time work is being

performed at that site and must be removed within forty-eight (48) hours following completion of the work. The sign face may not exceed six (6) square feet.

D. Flags

No more than two flags are permitted on any lot. Flags must be in good taste. Flags located in the front yard must be at least twenty (20) feet from the pavement edge. Flag poles may not exceed the height of the residence or twenty-five (25) feet, whichever is less. Flags may not be mounted on trees.

E. Political Signs

See Standard 2.10.

F. Real Estate Signs

One sign advertising that the property is for sale, rent or lease is allowed on each single family lot, and must be removed with seven days following the close of sale or rental of that property. One open house sign is allowed per lot during the time the dwelling is open for public inspection. The sign face of a real estate sign may not exceed six (6) square feet in area.

G. Safety Signs

Two safety-related signs used during the period children are at play are permitted provided that the signs do not exceed four square feet in area. Signs must be stored out of public view when not in use.

H. Youth Activity Signs and Military Service Signs

Temporary signs promoting school activities, youth activities and military service are allowed on a lot. No more than one (1) sign of the type permitted by this subsection H are permitted on any lot.

I. Exceptions

Official signs and special event signs authorized by The Woodlands Township are exempt from this Standard.

APPROVALS

Contractor Signs, Youth Activity and Military Signs and signs required to be permitted by law that are in compliance with the General Requirements contained in Section 2.12(I) above, do not require an application. All other signs described in Section 2.12 (I) and Section 2.12(II) require an application, are subject to the General Requirements contained in Section 2.12(I) and must be reviewed and approved in advance of placement by the Plan Review Committees or its designee. The Woodlands Township reserves the right to approve signs and banners in locations other than the designated major intersections. Only one two-sided sign will be allowed at any one of the major intersections.

2.13 SWIMMING POOLS AND SECURITY BARRIERS

The building code, Neighborhood Criteria and Part I of these Standards have further requirements applicable to all improvements.

I. SWIMMING POOLS

A. Definition

Swimming pool means any structure intended for swimming or recreational bathing with a capacity for water more than 24 inches deep, including in-ground, above-ground and on-ground swimming pools, hot tubs and spas.

B. Above-Ground

Above-ground swimming pools, including any external piping, must be screened from view by a six foot solid fence or wall.

C. Construction Barricade

A continuous four foot or taller safety barricade that secures the area from pedestrian access is required around the swimming pool site at all times during excavation and construction.

D. Pneumatic Pool Enclosures

Pneumatic pool enclosures are not an acceptable pool barrier.

E. Drains

Any backwash drains must discharge into the sanitary sewer system at connections approved by the MUD.

F. Drainage

Texas law requires that the owner ensure that the placement of any improvement or landscaping does not halt or materially impede drainage flowing off of a neighboring tract, and does not redirect the flow or significantly increase the amount of water flowing onto a neighboring tract. Enforcement of this requirement is by the affected property owner(s).

G. Dwelling Foundation

The owner should obtain competent engineering advice to determine that swimming pools, spas and ponds are located far enough from the dwelling foundation to maintain support for the foundation.

H. Elevation

Pools, spas and ponds should be elevated above the surrounding grade at the minimum height necessary to prohibit an inflow of storm water. Where there is a significant elevation decline to the adjacent lot(s), pools, spas, ponds and adjacent decking must be located at an elevation that protects the privacy of adjacent residents without the need for high visual or sound barriers.

I. Excavation

Excess soil from swimming pool, spa and pond excavation must be removed from the site.

J. Hard-Surface Area

The surface area of coping and any decking materials (*excluding wood decks*) are hard-surfaced areas in determining compliance with the limitation of hard-surface area permitted on the lot. See *Neighborhood Criteria*.

K. Water Surface Area

A maximum of six percent of the lot size will be allowed for coverage of water surface area on any size lot.

L. Lights

Lights in or around swimming pools, spas and ponds must conform to Standard 2.8 and be included on the plan for review and approval. Swimming pool equipment lighting mounted immediately above the swimming pool equipment must be located below the fence line. Lights must be shielded to direct illumination downward. The maximum light wattage may not exceed 100 watts.

M. Location

Swimming pools and spas must be located in the rear or side yard. Swimming pools and spas and associated walls, decking or other landscape elements may not be located within a covenant easement or beyond a platted building line. All construction and access is required to occur on the owner's lot. Any deviation that would cause the access from an adjoining property or tract of land requires an executed access agreement, fees and deposit through The Woodlands Township.

N. Pool Slides

Pool slides may not exceed eight feet in height above natural grade and must be located to minimize impact on adjacent properties.

O. Pumps and Filters

Above ground piping, pumps, equipment or filters must be screened from view at ground level from any street and located to minimize impact on adjacent properties. Additional screening may be required to screen the view from adjacent tracts of land or adjoining property owners. Above ground piping, pumps, equipment or filters may be located up to three feet into the rear and side yard easements and must not compromise any security barrier.

Equipment pads may be located up to one foot from an adjoining property line. Improvements within an easement must not impede drainage. Any improvement constructed within an easement without the consent of the easement holder is subject to removal by the easement holder. Approval by the Plan Review Committee is not approval by the easement holder.

P. Waterfalls/Water Features

Waterfalls/water features and associated berms may not be located on any easements. Waterfalls/water features may not exceed five feet in height above natural grade. All pipes and plumbing must be suitably enclosed or screened from view.

Any waterfall/water features that incorporates a slide must demonstrate that the waterfall portion does not exceed five feet in height and that the slide and handrail do not exceed eight feet in height as noted from existing natural grade. An elevation drawing must be submitted noting the height. The plan review committee and its designee will evaluate architectural compatibility when reviewing waterfalls/water features.

Q. Construction Access

All construction activity must occur on the owner's lot. If access is requested from an adjoining lot or other tracts of land, an access agreement and any fees or deposits must be submitted and verified prior to the construction of the improvements. All access agreements must be submitted to the Plan Review Committees or their designee.

II. SECURITY BARRIERS**A. Building Code**

All swimming pools, hot tubs, spas and ponds greater than two feet in depth must be provided with a security barrier that complies with the International Residential Code.

B. Fence Standard Applies

In addition to the requirements of the building code and this Standard, security barrier fences must comply with all provisions of Standard 2.6. Security barrier fences also require inspections and may be eligible for one-step approval.

C. Existing Fences

A fence in existence when a swimming pool, hot tub, spa or pond (*greater than two feet in depth*) is constructed can be used as a security barrier even though it does not comply with the requirements of this Standard if the fence:

- Was built after January 1, 1986, to enclose an existing pool, spa or pond on a neighboring lot and complied with the Standards regarding security barrier fences in effect on the date it was built.
- Was built by the owner of the proposed pool, spa or pond within 18 months prior to the date of the pool, spa or pond application and complied with the Standards regarding security barrier fences in effect on the date the fence was built.

D. Upgrade to Current Standards

An application and inspection are required at any time when:

1. More than eight linear feet of barrier fencing is or has been replaced, redesigned, reconstructed or relocated.
2. Any gates have been installed.

An application and inspection through a third-party qualified inspector are required. That portion of fencing or gate must be brought into compliance with the current Standard.

In addition to the requirements of the building code and this Standard, security barrier fences must comply with all provisions of Standard 2.6. Security barrier fences also require inspections and may be eligible for staff approval.

APPROVALS

Committee and Staff Approval

All other projects within the scope of this Standard must be reviewed and approved in advance by the Plan Review Committee or its designee. If for any reason it is determined by staff that an application is to be reviewed by a Plan Review Committee, it will not be eligible for staff approval, and will be posted for committee review at the next available Plan Review Committee meeting.

2.14 TENNIS COURTS, SPORTS COURTS and BATTING CAGES

The building code, Neighborhood Criteria and Part I of these Standards have further requirements applicable to all improvements.

A. Only One Court

In this Standard, **court** refers to tennis courts, sports courts, basketball courts, racquetball courts, batting cages or other similar improvements. Only one court may be constructed on any lot.

B. Location

Courts must be located in the side or rear yard, and not within an easement or beyond any setback line or platted building line. Mass, scale, proportion and height to the lot must be considered when reviewing location.

C. Impact

The location of the court must not have an adverse impact on neighboring properties or impair a neighbor's golf course or lake view. Courts must be located so they do not cause an unreasonable or disproportionate visual impact on neighboring properties.

D. Hard-Surfaced Area

Courts are included in the calculation of hard-surface area.

E. Trees

Trees larger than six inches in diameter measured at a point two feet above natural grade may not be removed for construction of a sport court or tennis court. Any tree proposed to be removed must be flagged on site for inspection.

F. Lighting/ All sport court lighting must comply with Standard 2.8.

Sport Court Lighting

- Lighting poles and lighting fixtures may not exceed 14 feet in height as measured from natural grade.
- Limited to a maximum of three freestanding pole lights. Lights may not exceed 1,000 watts.
- Must be shielded.
- Light fixtures and freestanding poles must be muted shades. Additional vegetation may be required for screening purposes.
- Tennis Court Lighting
 - Fixtures may not exceed 20 feet in height as measured from natural grade.
 - Limited to a maximum of four freestanding pole lights.
 - May not exceed 1,000 watts.
 - Must be shielded.
 - Should be designed to provide court lighting and minimize any glare or illumination beyond the tennis court itself.
 - Light fixtures and freestanding poles must be muted shades.
 - Additional vegetation may be required to surround the tennis court lighting for screening purposes.

G. Fence

- Courts must be screened from adjoining properties by vegetation or solid fencing.
- Tennis courts must be screened with vegetation.
- Tennis courts require a 10-foot high, black vinyl-coated chain-link fence along those sides of the court that are within 15 feet of another residential lot.
- A 10-foot high (*maximum*), black vinyl-coated chain-link fence is permitted along the other sides of the court.
- Chain-link fences must be located immediately adjacent to the court surface.

APPROVALS

Committee Approval

All projects within the scope of this Standard must be reviewed and approved in advance by the Plan Review Committee.

3.1 HOME BUSINESS

The Woodlands Covenants prohibit business use of a single family lot without approval by the DSC or DRC.

I. BUSINESS IN THE HOME

A. Requirements for Approval

A home business may be approved by the Plan Review Committee only if:

- The lot and improvements are used primarily for residential purposes by the business owner/operator.
- The street address of the home business is not advertised in a public medium (*e.g., newspaper, radio, internet, television, yellow pages or trade journals*) or in any public manner.
- No more than 25 percent of the floor area of the dwelling or 50 percent of the floor area of the garage is used for a business related activity (*storage of materials or equipment, office use, etc.*).
- The home business does not employ or contract with persons not living at that location but who work at or travel to the home in connection with the business.
- The home business does not have clients, customers or other persons who frequently travel to the home in connection with the business.
- The home business does not cause noise, dust, light, vibration, odor or pollutants that emanate onto any adjacent property in an amount that does or may reasonably constitute a nuisance to an adjacent property owner.
- The home business does not have trucks, tractor-trailer cabs or trailers or other business vehicles, equipment or supplies openly parked or stored upon the property or adjacent streets or properties.
- The home business does not have any sign or other writing on the lot displaying the name or identity of the home business that is visible from any street except customary signs attached to a vehicle and that do not include the home address.
- The home business is not conducted upon any portion of the lot that is visible from a public or private street.
- The home business is compatible with and does not infringe upon the residential character of the surrounding neighborhood.

This list is not all-inclusive.

B. No Waiver

Approval of a home business is not an approval of any remodeling work or a waiver of any other provision of the Covenants or these Standards. Plans must be submitted and approved for any remodeling or alterations to any structure and the provisions of the Covenants and these Standards, e.g., good property maintenance, parking, the requirement of a two car garage and maximum living area, must be met. Commercial type businesses are not permitted.

APPROVALS

Committee Approval

All home businesses must be reviewed and approved in advance by the DSC, DRC or its designee. Upon review of home business, approval will be for a period not to exceed two years or for a period as determined by the DSC or DRC and is subject to revocation by the committee at any time. Additionally, a home business is subject to revocation if a violation of these Standards occurs.

II. GARAGE SALES

A. Definition

A **garage sale** is any sale to the public of household or personal articles or other goods or merchandise, held on a single family lot. Garage sales include events advertised as a “garage sale,” “patio sale,” “moving sale,” “yard sale,” “estate sale,” “craft sale,” “craft demonstration,” “trunk sale,” “by invitation only sale” or other similar term.

B. Prohibited

Garage sales are prohibited and no variances from this Standard will be approved.

3.2 HOME MAINTENANCE

A. General Maintenance

The Woodlands Covenants require each owner to keep their entire property (*front, rear and side*) and improvements in good order and repair including all appropriate external care of all buildings and other improvements in a manner and with such frequency as is consistent with safety and good property management.

Among the requirements of this section are (*this list is not all inclusive*):

- Repairing windows.
- Painting and staining
- Repairing and maintaining siding, garage doors, gutters, fences, roofs, shutters, screens or decks.
- Mowing, weeding, edging, seeding, and pruning, including areas up to the pavement edge.
- Removal of substantial yard debris such as leaves, pine needles, branches, etc.
- Maintaining trees and shrubbery, such as removing dead trees, tree limbs, yard debris and weeds from flowerbeds.
- Removing exterior algae/mildew on dwellings, garages and all other existing improvements.
- Repairing all damaged walkways and driveways to the street pavement edge.
- Repairing any damaged paved areas.
- Maintaining any drainage structure on the lot.
- Removing all trash and debris.
- Storing all equipment, materials, supplies and appliances out of public view from the street or any adjacent property.
- Storage within a carport is permitted only on lots originally constructed without a garage and must present a neat and orderly view from the street.
- Hanging clothing or other household fabrics in the open on any lot is not permitted unless the same are hung from an umbrella or retractable clothes hanging device that is removed from view when not in use or unless the same are enclosed by a fence or other enclosure at least six inches higher than such hanging articles provided such fence or other enclosure has been approved by a Plan Review Committee.
- Maintaining pool, pool equipment, pumps and filters.
- Maintaining and screening portable toilets/restroom facilities.

B. Trash and Recycle Carts

Trash and recycle carts must be screened from view at ground level from any adjacent public or private property, or located behind an acceptable screened structure. It is preferred that trash and recycle carts should be stored behind existing solid fencing or contained in the garage.

C. Trash, Refuse and Recyclables

- All trash or refuse burning is prohibited.
- All trash, refuse and recyclables (*except bundled limbs and branches*) must be placed in containers required by the waste collection contractor.
- All trash, refuse or recycling containers may be placed near the street edge no earlier than one day prior to regularly scheduled waste collection. Emptied containers must be removed from the street, front yard or driveway by the end of the collection day.
- Containers must be stored on the owner's property at all times.
- All trash and refuse containers must be stored out of public view at ground level from the street, alley or adjacent and surrounding properties at all times except during waste collection period.

D. Screened Structures for Trash and Recycle Carts

Height

1. The height of the trash and recycle cart screen must be installed so that the trash and recycle carts are not visible at ground level from a street or an adjacent property
2. Maximum height of 6 feet with an additional 6 inches for a rot board.

Design

1. Trash and Recycle Cart Screens must be designed to completely screen the containers from view or as a complete enclosure with an access gate. It also may include a solid paved or pervious surface for a foundation.
2. Trash and recycle cart screens must incorporate colors and materials compatible to the dwelling or existing fence.
3. Trash and Recycle Cart Screens located on any lot adjacent to a golf course or lake must be designed so that the carts are not visible to the lake or golf course.
4. Acceptable designs for a screened structure include:
 - Solid fences capped or uncapped, “I”, “G”, “J”, “L”, “H” (*as described on page 36 of the Residential Development Standards*).
 - Framed Lattice with integrated evergreen vegetation planted and maintained for the purposes of screening and softening the view of the lattice structure from the street and adjacent properties.
 - Manufactured screens are acceptable provided that they are applied for and comply with the requirements of these Standards.
5. If the home has existing perimeter fencing that is not transparent and the intent is to construct a trash and recycle cart screen of the approved fence designs (*See section 4 above*) selected, the screen must match the existing fence design on the home.
6. Trash and recycle carts that will be screened by vegetation alone require natural evergreen vegetation that will substantially screen the carts. The vegetation must be maintained to provide complete screening of the trash and recycle carts.
7. Alternate materials such as simulated wood products will be considered provided that they are applied for and comply with the requirements of these Standards.

Location

1. Trash and recycle cart screens must be set back a minimum of 3 feet from the front façade however any screen that is 4.5 feet in height can be no less than one foot from the front façade.
2. For properties with “Hook-In” or “L” shape driveways the enclosure may extend beyond the front façade of the dwelling or garage if in compliance with this standard.
3. Trash and recycle cart screens may be located in the easements.
4. The Plan Review Committee and staff will explore alternate locations and consider neighbor impact when considering placement into the side yard easement.

E. Seasonal Decorations and Lighting

Seasonal displays must be limited in scope so as to not become a nuisance or annoyance to the neighborhood.

- Winter holiday decorations and lights may be illuminated from November 15 through January 15 of the following year.
- Decorations and lighting may be installed no earlier than October 1 and must be removed by February 1 of the following year.
- All other seasonal decorations may be displayed for a period not to exceed three weeks.

APPROVALS

Committee and Staff Approval

All trash can and recycle cart screens must be applied for and acted upon in advance of installation by the Plan Review Committee or its designee.

If for any reason it is determined by staff that an application is to be reviewed by a Plan Review Committee, it will not be eligible for staff approval, and will be posted for committee review at the next available Plan Review Committee meeting.

3.3 PETS

A. Dogs and Cats

No more than two customary household pets may be placed or kept outside of the home. Pets should not be allowed to run at large. They should be confined to the owner's lot or controlled by a restraint device. Pets other than dogs and cats are restricted to the interior of the home.

B. Lot Maintenance

Animal waste must be removed from the lot as required by good animal husbandry and to control odor and prevent a health hazard. Many annoyances or unsafe activities are within the jurisdiction of the county or other governmental agencies. Consult the appropriate agency.

C. Why Don't the Standards Regulate Barking Dogs or Animals Running At Large?

These Standards cover limited topics within the Covenants. Many annoyances such as barking dogs, loose pets or unsafe activities are within the jurisdiction of the county or other governmental agencies. Consult the appropriate agency.

3.4 STREET RIGHTS-OF-WAY, CUL-DE-SAC ISLANDS AND MEDIANS

I. STRUCTURES

A. Street Right-of-Way

The street right-of-way is the area between platted lot lines on one side of the street and platted lot lines on the opposite side of the street, including the paved roadway, any median or cul-de-sac island, drainage ditch (*if any*) and a strip of land, usually from 10 to 15 feet wide, between the paved roadway and the platted lot line. Street rights-of-way are dedicated to the county or other public body for public access, drainage and utility purposes. Street rights-of-way are usually shown on the plat of a subdivision.

B. County Approval

No improvement may be constructed or placed in a street right-of-way without approval by Montgomery County and/or Harris County. Approval by the Plan Review Committee does not constitute approval by the county. Any improvement constructed within an easement or in county jurisdiction without the consent of the easement holder is subject to removal.

Plan Review Committee approval of plans for an improvement within an easement does not constitute approval by the additional easement holders or other entities.

C. Prohibited Structures

The following structures are prohibited in street rights-of-way:

- Posts, barriers, lights, railroad ties, landscaping walls or other improvements extending along the pavement edge. *See Paragraph D below for permitted street-edge landscaping.*
- Signs, banners, flags or promotional devices that prominently display a commercial message, except as specifically permitted by this Standard.
- A series of lights parallel to the street edge.

D. Permitted Structures

The following structures are permitted in street rights-of-way:

- Park benches located in cul-de-sac islands.
- Wooden decks no higher than eight inches above grade, covering no more than 30 percent of the island and no larger than 100 square feet may be installed to support a bench provided that no trees are removed.
- "Grass-crete" or an equivalent product installed to reduce roadside rutting.
- Slope stabilization and erosion protection treatment such as flagstone or railroad tie retaining walls in roadside drainage ditches.
- Driveways, walkways, bridges and driveway curbs that span a ditch or swale.
- Ground lights adjacent to walkways extending to the street pavement provided they are less than two feet in height above natural grade and comply with Standard 2.8.
- Sculptures and other works of art which are appropriate in aesthetics, design and location.
- Landscape borders and planter beds with integrated rocks that are 24 inches in height or greater must be located at least 2 feet from the street edge
- Landscape borders and planter beds with integrated rocks that are 8 inches or less in height, may be located along the street pavement edge.
- Rocks, designed as road right of way bollards, no taller than 12 inches along street pavement edge.
- Signs and permitted markers that comply with Standard 3.5.

E. Maintenance

Any improvement in the street right-of-way must be properly maintained by the owner. Structures not properly maintained must be removed by the owner within 15 days following notice from The Woodlands Township.

APPROVALS

Pre-Approval

Ground lights and planter beds that comply with these Standards are pre-approved and require no application, approval or inspection.

Committee and Staff Approval

All other activities within the scope of this Standard must be reviewed and approved in advance by the Plan Review Committee or its designee. If for any reason it is determined by staff that an application is to be reviewed by a Plan Review Committee, it will not be eligible for staff approval, and will be posted for committee review at the next available Plan Review Committee meeting.

3.5 SIGNS IN STREET RIGHTS-OF-WAY

I. TEMPORARY SIGNS

A. Approvable Signs for Placement in Street Right-of-Way

1. Directional Signs

Directional signs that identify the builder or developer of a tract or that direct the public to new areas of development.

2. Flags and Banners

Texas and United States flags, and flags or banners promoting major events of community-wide interest sponsored by non-profit public service organizations are approved. Flags and banners:

- May be posted only at approved locations.
- Must be aesthetically pleasing, in keeping with the character of the community, in good repair and of the size and materials approved by the DSC/DRC.
- May not prominently display a commercial message.
- May be displayed for no more than two days preceding the event and during the event, but for a total of no more than seven days.
- Flags and banners must be removed within 24 hours of the close of the event.
- Flags and banners must be kept in good repair.

B. Location/Ground-mounted

Signs may not be placed in an open space reserve or park, or attached in any way to plant material or a traffic control device, light standard or other existing structure. All signs must be ground-mounted.

C. Message

Approval of the sign does not imply approval of the message.

D. Removal

The Woodlands Township may remove any sign, banner, flag or promotional device placed or permitted to remain in violation of this Standard.

E. Sound/Lighting

Signs, banners, flags and promotional devices may not be lighted, accompanied by music, sound, balloons or be distracting to motorists.

F. Traffic Control Devices

Sign design and color may not imitate official traffic control devices. Black letters on a white background are preferred.

II. WAYFINDING, MODEL HOME AND VILLAGE/NEIGHBORHOOD ENTRY SIGNS.

The building code, Neighborhood Criteria and Part I of these Standards have further requirements applicable to all improvements.

Public signs erected by or on behalf of a governmental body to identify public property, convey public information and direct or regulate pedestrian or vehicular traffic.

Signs posted in association with municipal, county, state or federal authorities for crime prevention and public safety and health.

Emergency warning signs erected by a governmental agency, a public utility company, or a contractor doing authorized or permitted work within the public right-of-way.

Signage should not compete with the natural environment, must be aesthetically pleasing as well as maintain neighborhood image.

Lettering must be large enough to be seen from a distance.

A. Way Finding Signs

Two-sided way finding signs are specifically designed and installed for the purposes of identification of villages, parks and governmental facilities.

B. Village / Neighborhood Entry Signs

Village and neighborhood entry signs may consist of moss rock, brown hacket and cultured stone. Most sign blades will be Texas Crème limestone.

All signage where needed must be reviewed and approved by the County Commissioners as well as meet the requirements of Harris and Montgomery Counties.

C. Fees and Charges

The Woodlands Township may charge a reasonable fee for the removal of any signs in violation of this Standard. An administration fee will also be assessed.

APPROVALS

Pre-Approval

Texas and United States flags, generic voting signs and ground lights that comply with these Standards are pre-approved and require no application, approval or inspection.

Committee and Staff Approval

All other activities within the scope of this Standard must be reviewed and approved in advance by the Plan Review Committee.

If for any reason it is determined by staff that an application is to be reviewed by a Plan Review Committee, it will not be eligible for staff approval, and will be posted for committee review at the next available Plan Review Committee meeting.

Any signs that do not comply with this Standard require an application and must be reviewed and approved in advance by the Plan Review Committees or its designee.

3.6 VEHICLES, TRAILERS AND BOATS

A. Definitions

1. A **recreational vehicle** is a motorized vehicle, including a motor home or truck camper, which is designed to provide temporary living quarters for recreational, camping, travel or business use. Excluded from the definition of a recreational vehicle are pick-up trucks with a camper cover that does not exceed the height of the cab by more than one foot and truck campers or motor homes no more than 10 feet tall or 20 feet long if driven to and from work on a regular basis (*at least four days a week*) or used for normal household purposes (*driven on a daily basis*).
2. A **trailer** is any vehicle designed or intended to be coupled to or drawn by a motor vehicle.
3. A **mobile home** or **trailer home** is any type of trailer designed either for travel over the highways or for housing accommodations or both.

B. Open Storage Prohibited

Trailers, trailer homes, recreational vehicles, mobile homes, boats, or other similar vehicles or equipment may not be parked 48 consecutive hours or more on any street or on any lot where visible at ground level from a street or adjacent property. Farm-type tractors, semi-truck tractors and trailers or other similar vehicles are not permitted to be stored on any street or on any lot where visible.

1. Commercial type vehicles may not be parked on any lot or street except during periods of pickup or delivery.
2. Motor vehicles that are disabled or mechanically inoperable on a public street may not be parked on any street or at a location where visible at ground level from any street or adjacent property.
3. Open storage of one disabled vehicle is permitted, provided that the vehicle is covered with a customary protective vehicle cover that is in good order and repair and is a muted earth tone shade. Tarps, blankets or similar type coverings are not acceptable.
4. Parking of recreational vehicles or trailer homes of visiting friends or relatives is permitted for no more than 10 days provided that the owner contacts The Woodlands Township.
5. Periodic movement of the vehicle for the purpose of circumventing this Standard does not comply with this Standard.

C. Garage Storage

Trailers, trailer houses, recreational vehicles, mobile homes and boats may be stored in a garage.

D. Park on Hard-Surfaced Areas

All vehicles parked on a lot must be parked entirely on concrete or other approved hard-surface material. Parking on lawns, ditches, open space areas, dirt, gravel or grassy areas is prohibited. Additional hard-surface materials (*driveway extensions and parking pads*) must be applied for and approved prior to installation.

E. Why Don't the Standards Regulate Vehicles Parking on the Street?

These Standards cover limited topics within the jurisdiction of the Covenants. Many other annoyances or unsafe activities are within the jurisdiction of the county or other governmental agencies. Consult the appropriate agency.



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